

Federal Register

Monday
April 21, 1980

Highlights

- 26685 **Transactions with Iran** Executive Order
- 26940 **Iranian Assets Control** Treasury/Office of Foreign Assets issues regulations imposing additional prohibitions on dealings with Iran; effective 4-17-80 (Part VIII of this issue)
- 26934 **Womens' Business Enterprise Policy** EPA gives notice of intent to issue guidance concerning EPA's construction grants program (Part VII of this issue)
- 26705 **Education** HEW issues regulations revising sections of the fund for the improvement of postsecondary education regulations
- 26914 **National Diffusion Network Program** HEW/OE issues regulations governing the award of grants to public and private nonprofit agencies (Part V of this issue)
- 26749 **Technical Assistance and Energy Conservation Measures** DOE/SOLAR gives notice of closing date of second grant program cycle; apply by 9-30-80
- 26717 **Technical Assistance and Energy Conservation Measures** DOE/SOLAR publishes notice to solicit public comment concerning possible amendments to the present regulations for use in future grant program cycles; comments by 5-30-80

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Highlights

- 26718 Improving Government Regulations** WRC publishes semiannual agenda of significant regulations
- 26723 Improving Government Regulations** FCC reschedules publication date for semiannual agenda
- 26819 Campaign Contributions** FEC gives notice of availability of petition to require notice regarding "negative campaigns" on solicitations for contributions; comments by 5-21-80
- 26714 Availability of Records** Executive Office of the President establish procedures by which records may be obtained from all organizational units within the Office of Administration; comments by 5-21-80
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- 26904 Mobile Home Construction and Safety Standards** HUD/NVACP investigates the manufacture of certain structures which are referred to park models; effective 5-1-80; comments by 6-20 and 7-1-80 (2 documents) (Part III of this issue)
- 26823 White House Tapes** GSA/NARS gives notice of public access of opening of White House Tapes entered as evidence in trials
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- 26712 Community Act Programs** CSA issues regulations revising income poverty guidelines; effective 4-21-80
- 26825 Privacy Act Documents** HUD
- 26877 Sunshine Act Meetings**

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Presidential Documents

Title 3—

Executive Order 12211 of April 17, 1980

The President

Further Prohibitions on Transactions With Iran

By the authority vested in me as President by the Constitution and statutes of the United States, including Section 203 of the International Emergency Economic Powers Act (50 U.S.C. 1702), Section 301 of Title 3 of the United States Code, Sections 1732 and 2656 of Title 22 of the United States Code, and Section 301 of the National Emergencies Act (50 U.S.C. 1631), in order to take steps additional to those set forth in Executive Order No. 12170 of November 14, 1979, and Executive Order No. 12205 of April 7, 1980, to deal with the threat to the national security, foreign policy and economy of the United States referred to in those Orders, and the added unusual and extraordinary threat to the national security, foreign policy and economy of the United States created by subsequent events in Iran and neighboring countries, including the Soviet invasion of Afghanistan, with respect to which I hereby declare a national emergency, and to carry out the policy of the United States to deny the use of its resources to aid, encourage or give sanctuary to those persons involved in directing, supporting or participating in acts of international terrorism, it is hereby ordered as follows:

1-101. Paragraph 1-101(d) of Executive Order No. 12205 is hereby amended by the addition of a new subparagraph (v) as follows:

(v) Make any payment, transfer of credit, or other transfer of funds or other property or interests therein, except for purposes of family remittances.

1-102. The following transactions are prohibited, notwithstanding any contracts entered into or licenses granted before the date of this Order:

(a) Effective immediately, the direct or indirect import from Iran into the United States of Iranian goods or services, other than materials imported for news publication or news broadcast dissemination.

(b) Effective immediately, any transactions with a foreign person or foreign entity by any citizen or permanent resident of the United States relating to that person's travel to Iran after the date of this Order.

(c) Effective seven days from the date of this Order, the payment by or on behalf of any citizen or permanent resident of the United States who is within Iran of any expenses for transactions within Iran.

The prohibitions in paragraphs (b) and (c) of this section shall not apply to a person who is also a citizen of Iran and those prohibitions and the prohibitions in section 1-101 shall not apply to a journalist or other person who is regularly employed by a news gathering or transmitting organization and who travels to Iran or is within Iran for the purpose of gathering or transmitting news, making news or documentary films, or similar activities.

1-103. The Secretary of the Treasury is hereby directed, effective fourteen days from the date of this Order, to revoke existing licenses for transactions by persons subject to the jurisdiction of the United States with Iran Air, the National Iranian Oil Company, and the National Iranian Gas Company previously issued pursuant to regulations under Executive Order No. 12170 or Executive Order No. 12205.

1-104. The Secretary of the Treasury is delegated, and authorized to exercise, all functions vested in the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) to carry out the purposes of this Order. The

Secretary may redelegate any of these functions to other officers and agencies of the Federal government.

1-105. The Secretary of the Treasury shall ensure that actions taken by him pursuant to the above provisions of this Order, Executive Order No. 12170 and Executive Order No. 12205 are accounted for as required by Section 401 of the National Emergencies Act (50 U.S.C. 1641).

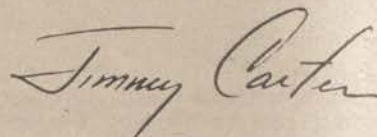
1-106. The Secretary of State is delegated, and authorized to exercise in furtherance of the purposes of this Order, the powers vested in the President by Section 2001 of the Revised Statutes (22 U.S.C. 1732), Section 1 of the Act of July 3, 1926 (22 U.S.C. 211a), and Section 215 of the Immigration and Nationality Act (8 U.S.C. 1185), with respect to:

(a) the restriction of the use of United States passports for travel to, in or through Iran; and

(b) the regulation of departures from and entry into the United States in connection with travel to Iran by citizens and permanent residents of the United States.

1-107. Except as otherwise indicated herein, this Order is effective immediately. In accord with Section 401 of the National Emergencies Act (50 U.S.C. 1641) and Section 204 of the International Emergency Economic Powers Act (50 U.S.C. 1703), it shall be immediately transmitted to the Congress and published in the **Federal Register**.

THE WHITE HOUSE,
April 17, 1980.



[FR Doc. 80-12381

Filed 4-18-80; 10:51 am]

Billing code 3195-01-M

Editorial Note: The President's message to the Congress, dated Apr. 17, 1980, on further transactions against Iran, is printed in the Weekly Compilation of Presidential Documents (vol. 16, No. 16).

Rules and Regulations

Federal Register

Vol. 45, No. 78

Monday, April 21, 1980

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510. The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

7 CFR Part 1464

Tobacco Loan Program

Correction

In FR Doc. 80-4508 appearing at page 9253 in the issue for Tuesday, February 12, 1980, make the following changes:

(1) On page 9254, first column, § 1464.2(a) bottom line "Flu-cured" should be corrected to read "Flue-cured".

(2) On page 9256, second column, § 1464.3, line 19, "terminated" should be corrected to read "determined".

(3) On page 9257, first column, § 1464.7(a)(1), line 3, delete "TMC".

BILLING CODE 1505-01-M

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 701

Organization and Operations of Federal Credit Unions; Nondiscrimination Requirements

AGENCY: National Credit Union Administration.

ACTION: Final rule.

SUMMARY: The Administration is making two changes to its regulation implementing the Fair Housing Act of 1968. One change concerns the poster requirement and is technical in nature. The other change concerns deletion of a requirement that a certain statement appear in Federal credit union advertising for long term real estate loans. This deletion relieves a redundant restriction.

DATES: Effective April 14, 1980.

ADDRESS: National Credit Union Administration, 1776 G Street, NW., Washington, D.C. 20456.

FOR FURTHER INFORMATION CONTACT: Edward J. Dobranski, Senior Attorney, Office of General Counsel, at the above address. Telephone: (202) 357-1030

SUPPLEMENTARY INFORMATION: On August 31, 1979, the Administration published a final rule (at 44 FR 51191) which governed Federal credit union (FCU) compliance with the Fair Housing Act of 1968. Although the rule became effective on October 29, 1979, the Administration indicated that comments on the final rule would be welcomed. A few comments were received and they are addressed below.

Changes

Section 701.31(d)(1) requires that the sentence "We do business in accordance with the Federal Fair Housing Law" be included under the equal housing logotype and legend. One commenter requested that this sentence be deleted, first, because it is not required by HUD, second, because it is not required by other Federal financial regulators for the institutions they regulate, and third, because it does not appear to tell the consumer anything of substance not already conveyed by the legend "Equal Housing Lender." The Administration agrees that the sentence conveys the same meaning as the statement "Equal Housing Lender." Consequently, the expense incurred in its inclusion in Federal credit union advertising outweighs its utility. The Administration is therefore deleting the sentence "We do business in accordance with the Federal Fair Housing Law" from 12 C.F.R. § 701.31(d)(1)(i) and is deleting the phrase "which does business in accordance with the Federal Fair Housing Law" from 12 C.F.R. § 701.31(d)(1)(ii). (The latter term will thus not be required to be recited in radio advertising).

The Administration is also amending the poster requirement of 12 C.F.R. § 701.31(d)(3) to reflect the recent upgrading of Consumer Affairs from a component of an office (a division) to a separate office within the Administration. Federal credit unions can, of course, use those posters which contain reference to the "Division" of Consumer Affairs until the supply of those posters is exhausted.

Additional Comments

Another commenter supported the substantive aspects of § 701.31 but believed that the regulation should contain specific recordkeeping requirements for monitoring purposes. Specifically, NCUA was asked to amend the regulation (1) to require Federal credit unions making real estate related loans to include the sex and race of the applicant on the application if the applicant doesn't choose to provide this information and (2) to impose separate recordkeeping requirements for home improvement loans. These suggestions were offered based upon the commenter's belief that the monitoring requirements of Section 202.13 of Regulation B are often inadequate for monitoring compliance with the Fair Housing Act.

The Administration presently maintains its previously expressed intention (at 44 FR 51193) that it will attempt to determine compliance with the Fair Housing Act without imposing additional recordkeeping requirements upon FCUs. As such, separate recordkeeping requirements for home improvement loans will not be required. Nevertheless, the Administration will continually review the effectiveness of its consumer compliance procedures and make any changes that become necessary.

Nor is the Administration, at this time, adopting the suggestion that Federal credit unions be required to provide the race and sex information if the applicant doesn't choose to provide it when asked to do so pursuant to Section 202.13 of Regulation B. In the preamble to 12 CFR § 701.31 (at 44 FR 51193) the Administration stated that it would consider imposing this requirement in connection with long term real estate loans made pursuant to 12 CFR § 701.21-6. (Most Federal credit union loans which fall within the scope of Section 202.13 are long term [12 to 30 year maturity] mortgage loans that are made pursuant to Section 701.21-6).

Due to current economic conditions, most Federal credit unions are not making long term real estate loans. This in turn has impeded the Administration's efforts to collect sufficient data in order to determine whether a substantial number of applicants for Federal credit union real estate loans (particularly those in the protected classes) do not choose to note

their race and sex on the long term real estate loan application. (FHLMC Form 65/FNMA Form 1003). Without such knowledge, the Administration is not going to impose this type of requirement on Federal credit unions. When sufficient data is available, the Administration will then determine whether this type of requirement is necessary for the agency to effectively monitor compliance with the Fair Housing and Equal Credit Opportunity Acts and whether or not the requirement is outweighed by other considerations.

The guidelines contained in Section 701.31(e) note that a lending policy or specific criterion used in arriving at a decision on a loan application would not violate the Fair Housing Act, notwithstanding its discriminatory effect, if its use achieves a legitimate business necessity which cannot be achieved by using less discriminatory standards. The guidelines cited *Albermarle Paper Co. v. Moody*, 422 U.S. 405 (1975) and *Griggs v. Duke Power Co.*, 401 U.S. 424 (1971) as authority for this doctrine. One commenter asked the Administration to define the term "legitimate business necessity" so that permissible and impermissible lending factors can easily be determined.

The Administration does not believe that a precise definition of that term is advisable, assuming such a definition can be given at all. Nor does it believe that a list of permissible or impermissible standards is advisable. This position is predicated upon the fact that various circumstances will dictate whether given lending or appraisal standards are permissible and upon the existence of numerous judicial interpretations (past and future) of the "business necessity" doctrine. In short, the Administration believes that the guidelines contained in § 701.31(e) provide the soundest advice possible concerning the meaning of the term "legitimate business necessity."

Finally, one commenter noted that 12 CFR § 701.31(e)(3) should not require that an appraisal include consideration of the specific improvements to be made by the borrower, at least with respect to home improvement loans. This suggestion is based upon the "Property Value Analysis" form which has been proposed by the Federal Home Loan Mortgage Corporation (FHLMC). That form is to be used (by any lender wishing to sell the loan to the Mortgage Corporation) when the home improvement loan equals or exceeds \$15,000. When an appraiser uses that form, the value of the property is

determined on a prior to improvement basis.

As noted, the FHLMC's form is proposed, and is part of its home improvement loan program which has not yet been fully implemented. The Administration therefore does not believe that the suggested change is warranted at this time. The Administration will, however, consult with the FHLMC in this regard in order to determine whether any conflicts may arise and will attempt to resolve them before the FHLMC's home improvement loan program is fully implemented.

Public Comment; Effective Date; Executive Order 12044

In connection with these changes, the Administration has determined that the notice and public participation provisions of 5 U.S.C. § 553 are unnecessary and contrary to the public interest. This determination is based upon the fact that: (1) one of the changes is based upon a change in agency organization, and (2) the other change relieves a redundant restriction. The Administration has also determined, for the same reasons, to establish an effective date of less than 30 days from the date of publication and that the changes do not constitute a significant regulation for purposes of following the procedures set forth in Executive Order 12044. The person responsible for this determination is Edward J. Dobranski, Senior Attorney, Office of General Counsel.

Accordingly, NCUA is amending Chapter 7 of Title 12 of the Code of Federal Regulations as set forth below.

By the National Credit Union Administration Board on April 8, 1980.

Rosemary Brady,

Secretary of the Board.

Authority: 12 U.S.C. 1757, 1759, 1766, 1786, and 1789; 42 U.S.C. 3601-3610; 42 U.S.C. 1981; 15 U.S.C. 1601 et seq.

§ 701.31(d)(1)(i) [Amended]

1. Section 701.31(d)(1)(i) is amended by deleting the sentence "We do business in accordance with the Federal Fair Housing Law."

§ 701.31(d)(1)(ii) [Amended]

2. Section 701.31(d)(1)(ii) is amended by deleting "which does business in accordance with the Federal Fair Housing Law" and by inserting a period (.) after "lender."

§ 701.31(d)(3) [Amended]

3. Section 701.31(d)(3) is amended by replacing the word "Division" with the

word "Office" in the poster legend. As amended the poster reads as follows:

BILLING CODE 7535-01-M



EQUAL HOUSING LENDER

**We Do Business in Accordance With the
Federal Fair Housing Law and the
Equal Credit Opportunity Act**

**IT IS ILLEGAL, BECAUSE OF THE RACE, COLOR, RELIGION,
SEX, NATIONAL ORIGIN, MARITAL STATUS, OR AGE OF ANY
PERSON, OR BECAUSE A PERSON RECEIVES INCOME FROM
A PUBLIC ASSISTANCE PROGRAM, OR HAS IN GOOD FAITH
EXERCISED ANY RIGHTS UNDER THE CONSUMER CREDIT
PROTECTION ACT, TO:**

- **Deny a loan, including a loan for the purpose of purchasing,
constructing, improving, repairing, or maintaining a dwelling,
or**
- **Discriminate in fixing the amount, interest rate, duration,
application procedures, or other terms or conditions of a loan.**

**IF YOU BELIEVE YOU HAVE BEEN DISCRIMINATED AGAINST,
YOU MAY SEND A COMPLAINT TO:**

NATIONAL CREDIT UNION ADMINISTRATION

Office of Consumer Affairs

Washington, D.C. 20456

or

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Assistant Secretary for Fair Housing and Equal Opportunity

Washington, D.C. 20410

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 79-CE-10-AD; Amdt. 39-3757]

Airworthiness Directive; Cessna Models 500, 501, 550 and 551 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment revises existing Airworthiness Directive (AD) 79-12-06, Amendment No. 39-3492, applicable to Cessna Models 500, 501, 550 and 551 airplanes, by excluding therefrom those airplanes on which the wing upper and lower main spar caps have been modified in accordance with the applicable Cessna Citation Service Bulletins. This revision will reduce the present burden on owners/operators of affected airplanes without compromising safety.

DATES: Effective April 10, 1980.

Compliance schedule: As prescribed in the body of the AD.

ADDRESSES: Cessna Citation Service Bulletins SB57-10, Revision 1, dated March 28, 1980; SB57-11, Revision 1, dated March 28, 1980; and SB550-57-3, Revision 1, dated March 28, 1980; applicable to this AD, may be obtained from Cessna Aircraft Company, Marketing Division, Attention: Customer Service Department, Wichita, Kansas 67201; Telephone (316) 685-9111. Copies of these service bulletins are contained in the Rules Docket, Office of the Regional Counsel, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106, and at Room 916, 800 Independence Avenue SW., Washington, DC 20591.

FOR FURTHER INFORMATION CONTACT: Joseph W. Burrell, Aerospace Engineer, Engineering and Manufacturing District Office, FAA, Central Region, Terminal Building No. 2299, Room 238, Mid-Continent Airport, Wichita, Kansas 67209; Telephone (316) 942-4219.

SUPPLEMENTARY INFORMATION: This amendment revises Amendment 39-3492, AD 79-12-06, applicable to Cessna Models 500, 501, 550 and 551 airplanes, which currently requires repetitive inspections of the upper and lower main spar caps and accomplishment of appropriate corrective action if cracks of certain length are discovered. Subsequent to the issuance of AD 79-12-06, Cessna has developed and made available Cessna Citation Service Bulletins which include parts and instructions for the inspection of the

wing upper and lower main spar caps, crack removal, if applicable, and installation of upper and lower spar cap reinforcement angles. The manufacturer is now installing this modification on current production aircraft. The FAA has determined that the requirements made mandatory by AD 79-12-06 are no longer necessary to assure continued wing structural integrity after the upper and lower spar cap reinforcement angles are installed per appropriate Cessna Citation Service Bulletins. Therefore, the agency is revising Amendment 39-3492 by amending the AD applicability statement to enter cutoff serial numbers/unit numbers and to exclude from the AD those airplanes which have the upper and lower spar cap reinforcement angles installed in accordance with one of the following Cessna Citation Service Bulletins: SB57-10, Revision 1, dated March 28, 1980; SB57-11, Revision 1, dated March 28, 1980; or SB550-57-3, Revision 1, dated March 28, 1980, as applicable.

Since this amendment is relieving in nature and imposes no additional burden on any person, notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days after the date of publication in the Federal Register.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, Amendment 39-3492 (44 FR 34911, 34912), AD 79-12-06, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended as follows:

§ 39.13 [Amended]

(1) Delete the existing applicability statement and in its place add the following new applicability statement:

"Cessna: Applies to Model 500 (Serial Numbers 500-0001 through 500-0349), Models 500 and 501 (Unit Numbers -0350 through -0520) and Models 550 and 551 (Unit Numbers -0002 through -0114) airplanes with 600 or more hours time-in-service, except those which have been modified in accordance with one of the following Cessna Citation Service Bulletins: SB57-10, Revision 1, dated March 28, 1980; SB57-11, Revision 1, dated March 28, 1980; or SB550-57-3, Revision 1, dated March 28, 1980, as applicable."

(2) Delete the existing Table I and in its place add the following new Table I:

Table I.—Dye Penetrant Inspection Threshold

Model and Serial/Unit Nos.	Landings or time-in-service-hours
500, S/N 500-0001 thru 500-0349	4,300
500 and 501, Unit -0350 thru -0520	1,300
550 and 551, Unit -0002 thru -0114	4,300

(3) Delete existing paragraph H and in its place add the following new paragraph H:

"(H) Any equivalent method of compliance with this AD must be approved by the Chief, Engineering and Manufacturing District Office, Federal Aviation Administration, Room 238, Terminal Building No. 2299, Mid-Continent Airport, Wichita, Kansas 67209."

(4) Delete the existing paragraph following paragraph H and in its place add the following new paragraph:

"Cessna Citation Service Letters SL57-2, Revision 2, dated May 1, 1979; and SL550-57-1, Revision 1, dated May 1, 1979; and Cessna Citation Service Bulletins SB57-10, Revision 1, dated March 28, 1980; SB57-11, Revision 1, dated March 28, 1980; and SB550-57-3, Revision 1, dated March 28, 1980, cover the subject matter of this AD."

This amendment becomes effective April 10, 1980.

(Secs. 313(a), 601 and 603, Federal Aviation Act of 1958, as amended, (49 U.S.C. 1354(a), 1421 and 1423); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); and Sec. 11.89 of the Federal Aviation Regulations (14 CFR 11.89))

Note.—The FAA has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the final evaluation prepared for this document is contained in the docket. A copy of it may be obtained by writing to FAA, Office of the Regional Counsel, Room 1558, 601 East 12th Street, Kansas City Missouri 64106.

Issued in Kansas City, Missouri, on April 10, 1980.

Paul J. Baker,

Director, Central Region.

[FR Doc. 80-11954 Filed 4-18-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 80-SO-6; Amdt. No. 39-3756]

Airworthiness Directives; Piper Model PA-31-350 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment amends an existing Airworthiness Directive (AD) applicable to Piper Model PA-31-350 series airplanes to allow for a 60-day relief through the use of a temporary placard. The amendment is needed to permit the use of a placard for the "TAKEOFF FLAP" position information as a temporary measure until the flap position indicator can be modified or replaced.

DATES: Effective April 15, 1980.

Compliance as prescribed in body of AD.

ADDRESSES: Piper Service Bulletin #684, dated April 14, 1980, may be obtained from Piper Aircraft Corporation, 820 E. Bald Eagle Street, Lock Haven, Pennsylvania 17745.

A copy of the Service Bulletin and the AD are contained in the Rules Docket, Room 275, Engineering and Manufacturing Branch, FAA, Southern Region, 3400 Norman Berry Drive, East Point, Georgia 30344.

FOR FURTHER INFORMATION CONTACT:

R. J. Sample, Flight Test Section, ASO-216, Engineering and Manufacturing Branch, Flight Standards Division, FAA, Southern Region, P.O. Box 20636, Atlanta, Georgia 30320, telephone (404) 763-7446.

SUPPLEMENTARY INFORMATION: This amendment amends Amendment No. 39-3733 which requires revision to the airplane flight manuals and pilot operating handbooks applicable to certain Piper PA-31-350 series airplanes, and modification or replacement of flap position indicators installed in those airplanes. After issuing Amendment No. 39-3733, the FAA has determined that the 25-hours compliance time for replacing or modifying the flap position indicator may be unduly restrictive. Therefore, the FAA is amending Amendment No. 39-3733 by allowing for a 60-day extension for replacement or modification of the flap position indicator provided that a temporary placard is installed.

Since the amendment relieves a restriction and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and good cause exists for making this amendment effective in less than 30 days.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended by amending Amendment No. 39-3733 as follows:

§ 39.13 [Amended]

By adding a new subparagraph (iii) under subparagraph (b)(2) to read:

(iii) If subparagraph (i) or (ii) cannot be accomplished within 25 hours time in service, a placard may be installed directly above the flap position indicator, which reads: "TAKEOFF FLAPS—0". The placard may be fabricated from any suitable material with letters not less than 1/4" high. If this placard is installed, compliance with subparagraph (i) or (ii) above must be accomplished not later than June 14, 1980. This placard may be fabricated and installed by the pilot. The placard must be removed when the flap position indicator is replaced or modified in accordance with subparagraph (i) or (ii) above.

This amendment is effective April 15, 1980.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); 14 CFR 11.89)

Note.—The FAA has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). A copy of the final evaluation prepared for this action is contained in the regulatory docket. A copy of it may be obtained by contacting the person identified above under the caption "FOR FURTHER INFORMATION CONTACT."

Issued in East Point, Georgia, April 10, 1980.

Louis J. Cardinali,

Director, Southern Region.

[FR Doc. 80-11955 Filed 4-18-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 79-WE-13]

Alteration of Control zone; San Diego, Calif. (Montgomery Field)

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment alters the control zone for Montgomery Field (San Diego, Calif.) to provide additional controlled airspace for aircraft executing a Rwy 28R instrument approach procedure.

EFFECTIVE DATE: May 15, 1980.

ADDRESSES: Federal Aviation Administration, Air Traffic Division, Chief, Airspace and Procedures Branch, AWE-530, 15000 Aviation Boulevard, Lawndale, California 90261.

FOR FURTHER INFORMATION CONTACT: Thomas W. Binczak, Airspace and Procedures Branch, Air Traffic Division, Federal Aviation Administration, 15000

Aviation Boulevard, Lawndale, California 90261. Telephone: (213) 536-6182.

SUPPLEMENTARY INFORMATION:

History

On February 28, 1980, a Notice of Proposed Rule Making was published in the *Federal Register* (45 FR 13113) stating that the Federal Aviation Administration proposed to add an extension to the control zone of Montgomery Field. This addition is necessary to provide additional controlled airspace for the instrument approach procedure (ILS Rwy 28R) below 1000 feet about ground level. Interested persons were invited to participate in the rulemaking proceeding by submitting comments on the proposal to the FAA. No comments objecting to the proposal were received. This amendment is the same as that proposed in the notice except that one mile is substituted where two miles appears. The notice should have read one mile and was inadvertently shown as two miles. Section 71.171 was published in the *Federal Register* on January 2, 1980 (45 FR 356).

The Rule

This amendment to Subpart F of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) alters the San Diego, California (Montgomery Field) control zone. This amendment provides additional controlled airspace for the ILS Rwy 28R procedure.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, § 71.171 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as republished (45 FR 356) is amended, effective 0901 G.m.t., May 15, 1980, as follows:

Under § 71.171 add:

San Diego, Calif. (Montgomery Field)

Following * * * "longitude 117°08'20" W.)," add "and" within one mile each side of the Montgomery Field ILS localizer E course, extending from the 3-mile zone to the outer marker * * *

(Secs. 307(a), 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a), 1354(a)); Sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); 14 CFR 11.69)

Note.—The FAA has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promote safe flight operations,

the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Los Angeles, Calif., on April 8, 1980.

W. R. Frehse,

Acting Director, Western Region.

[FR Doc. 80-12063 Filed 4-18-80; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 97

[Docket No. 20259; Amdt. No. 1162]

Standard Instrument Approach Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: An effective date for each SIAP is specified in the amendatory provisions.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination—

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591;
2. The FAA Regional Office of the region in which the affected airport is located; or
3. The Flight Inspection Field Office which originated the SIAP.

For Purchase—

Individual SIAP copies may be obtained from:

1. FAA Public Information Center (APA-430), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, D.C. 20591; or
2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription—

Copies of all SIAPs, mailed once every 2 weeks, may be ordered from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. The annual subscription price is \$135.00.

FOR FURTHER INFORMATION CONTACT:

Lewis O. Ola, Flight Procedures and Airspace Branch (AFO-730), Aircraft Programs Division, Office of Flight Operations, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-8277.

SUPPLEMENTARY INFORMATION: This amendment to Part 97 of the Federal Aviation Regulations (14 CFR Part 97) prescribes new, amended, suspended, or revoked Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. § 552(a), 1 CFR Part 51, and § 97.20 of the Federal Aviation Regulations (FARs). The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4 and 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the Federal Register expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form document is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

This amendment to Part 97 is effective on the date of publication and contains separate SIAPs which have compliance dates stated as effective dates based on related changes in the National Airspace System or the application of new or revised criteria. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria

contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPs). In developing these SIAPs, the TERPs criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs is unnecessary, impracticable, or contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Part 97 of the Federal Aviation Regulations (14 CFR Part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 G.m.t. on the dates specified, as follows:

1. By amending § 97.23 VOR-VOR/DME SIAPs identified as follows:

... Effective May 29, 1980

- Gainesville, FL—Gainesville Muni., VOR/DME Rwy 24, Amdt. 4, cancelled
- Mt. Carmel, IL—Mt. Carmel Muni., VOR Rwy 22, Amdt. 4
- Cedar Rapids, IA—Cedar Rapids Muni., VOR Rwy 9, Amdt. 14
- Cedar Rapids, IA—Cedar Rapids Muni., VOR Rwy 27, Amdt. 9
- New Orleans, LA—Lakefront, VOR-A, Amdt. 14
- Dowagiac, MI—Cass County Meml, VOR-A, Amdt. 5
- Jefferson City, MO—Jefferson City Memorial, VOR Rwy 12, Amdt. 11
- Jefferson City, MO—Jefferson City Memorial, VOR Rwy 30, Amdt. 9
- St. Louis, MO—Lambert-St. Louis Intl, VOR Rwy 12L, Amdt. 8
- St. Louis, MO—Lambert-St. Louis Intl, VOR Rwy 12R, Amdt. 18
- Cut Bank, MT—Cut Bank Muni., VOR Rwy 31, Amdt. 11
- Fayetteville, NC—Fayetteville Muni., (Grannis Field) VOR Rwy 21, Amdt. 1
- Jackson, OH—James A. Rhodes, VOR/DME-A, Original
- Upper Sandusky, OH—Wyandot County, VOR-A, Amdt. 1
- Brownwood, TX—Brownwood Muni., VOR Rwy 17, Amdt. 8
- Higgins, TX—Higgins-Lipscomb County, VOR/DME Rwy 18, Amdt. 1
- Navasota, TX—Navasota Muni., VOR-A, Original

... Effective May 15, 1980

- Kahului, Hawaii—Kahului, VOR/DME or TACAN Rwy 20, Amdt. 2
- Madras, OR—City County, VOR/DME Rwy 34R, Amdt. 2, cancelled
- Salt Lake City, UT—Salt Lake City Int'l, VOR Rwy 16R (TAC), Amdt. 19

... Effective April 3, 1980

Stow, MA—Minute Man Airfield, VOR/DME Rwy 21, Amdt. 1

... Effective March 31, 1980

Elberton, GA—Elbert County-Patz Field, VOR/DME-A Original, cancelled

2. By amending § 97.25 SDF-LOC-LDA SIAPs identified as follows:

... Effective May 29, 1980

Alma, MI—Gratiot Community, SDF Rwy 9, Amdt. 4
Jefferson City, MO—Jefferson City Memorial, LOC Rwy 30, Amdt. 1
St. Louis, MO—Lambert-St. Louis Intl, LOC BC Rwy 6, Amdt. 24
Reedsville, PA—Mifflin County, LOC Rwy 6, Amdt. 3
Columbia—Mt. Pleasant, TN—Maury County, SDF Rwy 23, Amdt. 1
Arcola, TX—Arcola-Houston, LOC/DME Rwy 10 Original
Brownwood, TX—Brownwood Muni., LOC Rwy 17, Amdt. 1

... Effective May 15, 1980

Ft. Leonard Wood, MO—Forney AAF, LOC Rwy 14, Amdt. 2
Spokane, WA—Spokane Intl, LOC Rwy 3, Amdt. 4

3. By amending § 97.27 NDB/ADF SIAPs identified as follows:

... Effective June 12, 1980

Cherokee, IA—Cherokee Muni., NDB Rwy 36, Original

... Effective May 29, 1980

Hazelhurst, GA—Hazelhurst, NDB Rwy 14, Original
Michigan City, IN—Michigan City, NDB Rwy 20, Amdt. 10
Michigan City, IN—Michigan City, Muni., NDB Rwy 23, Amdt. 3
Cedar Rapids, IA—Cedar Rapids Muni., NDB Rwy 9, Amdt. 8
Alma, MI—Gratiot Community, NDB Rwy 9, Amdt. 3
Marks, MS—Selfs, NDB-A, Amdt. 1
Marks, MS—Selfs, NDB Rwy 2, Amdt. 3
Chillicothe, MO—Chillicothe Municipal, NDB Rwy 14, Amdt. 4
Jefferson City, MO—Jefferson City Memorial, NDB Rwy 30, Amdt. 5
St. Louis, MO—Lambert-St. Louis Intl, NDB Rwy 24, Amdt. 32
Edenton, NC—Edenton Muni., NDB Rwy 19, Amdt. 4
Henryetta, OK—Henryetta Muni., NDB Rwy 35, Amdt. 1
Anderson, SC—Anderson County, NDB Rwy 35, Original
Columbia—Mt. Pleasant, TN—Maury County, NDB Rwy 23, Amdt. 1
Kountze/Silsbee, TX—Hawthorne Field, NDB Rwy 13, Original
Palestine, TX—Palestine Muni., NDB Rwy 35, Amdt. 2
Palestine, TX—Palestine Muni., NDB-A Amdt. 1
Tyler, TX—Pounds Field, NDB Rwy 13, Amdt. 11

... Effective May 15, 1980

Kahului, HI—Kahului, NDB Rwy 20, Amdt. 4
Stow, MA—Minute Man Airfield, NDB-A, Amdt. 6

... Effective April 8, 1980

Somerset, KY—Somerset-Pulaski County, NDB Rwy 4, Amdt. 5, cancelled

4. By amending § 97.29 ILS-MLS SIAPs identified as follows:

... Effective May 29, 1980

Cedar Rapids, IA—Cedar Rapids Muni., ILS Rwy 9, Amdt. 12
Cedar Rapids, IA—Cedar Rapids Muni., ILS Rwy 27, Amdt. 1
Columbia, MO—Columbia Regional, ILS Rwy 2, Amdt. 8
St. Louis, MO—Lambert-St. Louis Intl, ILS Rwy 24, Amdt. 37
St. Louis, MO—Lambert-St. Louis Intl, ILS Rwy 30L, Amdt. 4
Tyler, TX—Pounds Field, ILS Rwy 13, Amdt. 13

... Effective May 15, 1980

Nashville, TN—Nashville metropolitan, ILS Rwy 20R, Original
Seattle, WA—Boeing Field/King County Intl, ILS Rwy 13R, Amdt. 21

5. By amending § 97.31 RADAR SIAPs identified as follows:

... Effective May 29, 1980

Pueblo, CO—Pueblo memorial, RADAR-1, Amdt. 4
Moline, IL—Quad-City, RADAR-1, Amdt. 3
Cedar Rapids, IA—Cedar Rapids Muni., RADAR-1, Amdt. 5
St. Louis, MO—Lambert-St. Louis Intl, RADAR-1, Amdt. 24

6. By amending § 97.33 RNAV SIAPs identified as follows:

... Effective May 29, 1980

Cedar Rapids, IA—Cedar Rapids Muni., RNAV Rwy 13, Amdt. 5
Cedar Rapids, IA—Cedar Rapids Muni., RNAV Rwy 31, Amdt. 5
Alma, MI—Gratiot Community, RNAV Rwy 27, Amdt. 3
Dowagiac, MI—Cass County Meml, RNAV Rwy 9, Amdt. 2
Muskegon, MI—Muskegon County RNAV Rwy 5, Original
St. Louis, MO—Lambert-St. Louis Intl, RNAV Rwy 30L, Amdt. 6
East Hampton, NY—East Hampton, RNAV Rwy 10, Original
Ponca City, OK—Ponca City Muni., RNAV Rwy 35, Original
Arcola, TX—Arcola-Houston, RNAV Rwy 10, Original
Arcola, TX—Arcola-Houston, RNAV Rwy 28, Original
Dumas, TX—Dumas Muni., RNAV Rwy 19, Original

(Secs. 307, 313(a), 601, and 1110, Federal Aviation Act of 1958 (49 U.S.C. §§ 1348, 1354(a), 1421, and 1510); Sec. 6(c), Department of Transportation Act (49 U.S.C. § 1655(c)); and 14 CFR 11.49(b)(3).)

Note.—The FAA has determined that this document involves a regulation which is not significant under Executive Order 12044, as implemented by DOT Regulatory Policies and Procedures [44 FR 11034; February 26, 1979]. Since this regulatory action involves an established body of technical requirements for which frequent and routine amendments are necessary to keep them operationally current and promotes safe flight operations, the anticipated impact is so minimal that this action does not warrant preparation of a regulatory evaluation.

Issued in Washington, D.C. on April 11, 1980.

John S. Kern,

Acting Chief, Aircraft Programs Division.

Note.—The incorporation by reference in the preceding document was approved by the Director of the Federal Register on May 12, 1969.

[FR Doc. 80-11953 Filed 4-18-80; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF COMMERCE**Office of the Secretary****15 CFR Parts 7a, 7b, and 7c**

Amendment to the National Voluntary Laboratory Accreditation Program Procedures To Permit the Inclusion of Additional Relevant Standards and Test Methods in a Laboratory Accreditation Program Established Under Those Procedures

AGENCY: Assistant Secretary of Commerce for Productivity, Technology and Innovation.

ACTION: Final rule.

SUMMARY: This amendment to the National Voluntary Laboratory Accreditation Program (NVLAP) procedures (15 CFR Parts 7a, 7b, and 7c) provides a method by which additional standards and test methods can be included in the list of standards and test methods in a laboratory accreditation program (LAP) established under those procedures when: (1) Such addition is requested in writing by any member of the public, and (2) such additional standards and test methods meet certain conditions as set out in this amendment.

EFFECTIVE DATE: May 2, 1980.

FOR FURTHER INFORMATION CONTACT:

Dr. Howard I. Forman, Deputy Assistant Secretary of Commerce for Product Standards Policy, Room 3876, U.S. Department of Commerce, Washington, D.C. 20230 (202) 377-3221.

SUPPLEMENTARY INFORMATION: On December 28, 1979, the Department of Commerce (DOC) published a proposed rule (44 FR 76810-76811) to amend its NVLAP procedures (15 CFR Parts 7a, 7b,

and 7c) by adding §§ 7a.4(i), 7b.4(e), and 7c.4(f) which would enable DOC to include additional standards and test methods in a LAP. The public was invited to submit written comments on the proposed rule by February 26, 1980. One comment was received which supported the proposed amendment.

The text of §§ 7a.4(i), 7b.4(e), and 7c.4(f) set out below is identical with the proposed amendment, appearing in quotation marks following the notice of proposed rulemaking cited above. The final two paragraphs, which were not within the quotation marks, were from an earlier draft and were published inadvertently. Consequently, they have not been included in this final rule.

In requesting a LAP under 15 CFR Parts 7a, 7b, and 7c, the requestor of the LAP must include the text of applicable standards and test methods. The procedures are silent on the issue of including within a LAP standards and test methods in addition to those submitted by the original requestor of the LAP. In response to requests for public comment on the preliminary finding of need for a LAP in thermal insulation materials, and in response to requests for comment on proposed criteria to be used in evaluating testing laboratories in a LAP for carpet, the Department of Commerce (DOC) received suggestions that those two LAPs include additional standards and test methods. Similar requests are possible during the operation of future LAPs that may be established.

DOC concluded that it is appropriate to include such additional standards and test methods in a LAP, when requested to do so in writing, if those additional standards and test methods are (1) directly relevant to the product identified in the LAP; (2) technically suitable so that the capability of a testing laboratory to perform the tests can be evaluated; (3) such that the evaluation of a testing laboratory can be accomplished by using the final accrediting criteria already established for the LAP; and (4) likely to be those for which testing laboratories will seek accreditation. DOC does not view this amendment to the NVLAP procedures as being contrary to any finding of need established under the NVLAP procedures because no change in the identification of the product for which a LAP was established is permitted. In addition, DOC will add test methods only in those cases where there would be no need to change the accrediting criteria. Since NVLAP is a voluntary program which has been designed as a public service that is partially funded by the participants, DOC believes that

every attempt should be made to provide for accreditation of all those test methods of interest to the laboratories which test the product for which a LAP has been established.

Dated: April 15, 1980.

Jordon J. Baruch,

Assistant Secretary of Commerce for Productivity, Technology and Innovation.

Sections 7a.4(i), 7b.4(e) and 7c.4(f), are added to 15 CFR Parts 7a, 7b, and 7c, respectively and are all to read as follows:

§§ 7a.4, 7b.4, 7c.4 Request to establish a laboratory accreditation program (LAP). [Amended]

* * * * *

If a person requests in writing that certain standards and test methods be added to a laboratory accreditation program established under these NVLAP procedures, the Secretary may choose to add such additional standards and test methods when, in the Secretary's judgement—

(1) The standards and test methods are directly relevant to the product for which the LAP was established;

(2) The standards or test methods are found to be technically suitable so that the capability of a laboratory to perform the tests can be evaluated;

(3) The standards and test methods are such that the evaluation of a laboratory can be accomplished by using final accreditation criteria already established for the laboratory accreditation program under section 7a.8 (or under §§ 7b.8 or 7c.8 as applicable) of these procedures; and

(4) The standards and test methods requested are likely to be those for which testing laboratories will seek accreditation.

[FR Doc. 80-12196 Filed 4-18-80; 8:45 am]

BILLING CODE 3510-13-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 375

[Docket No. RM79-59; Order No. 38-C]

Delegation of the Commission's Authority to the Director of the Office of Pipeline and Producer Regulation

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule.

SUMMARY: The Federal Energy Regulatory Commission hereby adopts a rule that delegates to the Director of the Office of Pipeline and Producer

Regulation the Commission's authority: (1) To compute maximum lawful prices prescribed under Title I of the Natural Gas Policy Act of 1978 (NGPA) and the monthly equivalent of the annual inflation adjustment factor; (2) to compute the incremental pricing threshold prescribed under Title II of the NGPA; and (3) to publish such prices, factor, and threshold in the **Federal Register**. The authority granted by the regulation applies to the computation and publication of prices for those categories of natural gas described in sections 102, 103, 104, 106(a), 106(b)(1)(B), 107(c), 108, and 109 of the NGPA.

DATES: Effective April 7, 1980. Written comments by April 30, 1980.

ADDRESS: Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426.

FOR FURTHER INFORMATION CONTACT: Tom Runge, Office of the General Counsel, 825 North Capitol Street, NE., Room 3329, Washington, D.C. 20426, (202) 357-8318.

A. Background

The Federal Energy Regulatory Commission (Commission) administers most provisions of the Natural Gas Policy Act of 1978, Pub. L. 95-621, 92 Stat. 3350, (NGPA) including those pertaining to maximum lawful prices for first sales of natural gas and the incremental pricing program required under Title II of the NGPA. Section 501(a) of the NGPA authorizes the Commission to issue rules and orders under the Act and to perform any and all acts it may find necessary or appropriate to carry out the provisions of the NGPA.

On August 14, 1978, the Commission approved a rulemaking, Delegations of Authority (Phase I), Docket No. RM78-19 (43 FR 36433, (August 17, 1978)) which served to transfer annually over 7,000 decisions of a largely routine and ministerial nature downward within the Commission, to its various office directors, so that the Commission can concentrate its major efforts on issues of greater significance. Subsequently, on July 23, 1979, the Commission added to these delegations by adopting additional ones, in the Phase II Delegation, Docket No. RM79-59, (44 FR 46449, (August 8, 1979)).

To aid in the Commission's implementation of the NGPA, the Commission has decided to approve a further delegation of authority to the Director of the Office of Pipeline and Producer Regulation. The power hereby delegated is the authority to compute

and publish maximum lawful prices and the monthly equivalent of the annual inflation adjustment factor pursuant to Title I of the NGPA, and the threshold prices required for implementation of the incremental pricing program. These powers, even more than most other delegated authorities, are purely routine and mechanical in nature. Only mathematical calculations based on various formulas are required. No discretionary decisionmaking on the part of the office director is involved.

B. Summary of Rule

Under revised § 375.307, there is delegated to the Director of the Office of Pipeline and Producer Regulation the authority to compute, pursuant to section 101(b)(6) of the NGPA, maximum lawful prices prescribed under Title I of the Act and the monthly equivalent of the annual inflation adjustment factor at least five days before the beginning of any month to which such figures apply, and to publish such prices and such factor in the *Federal Register* as soon as possible thereafter. The authority herein granted applies to the computation and publication of prices for those categories of natural gas described in sections 102, 103, 104, 106(a), 106(b)(1)(B), 107(c), 108, and 109 of the NGPA.

There is also delegated to the Director the authority to compute the incremental pricing threshold, pursuant to section 203(c) of the NGPA. The Director is also delegated the authority to publish this threshold, along with the thresholds for natural gas described in sections 203(a)(5), 203(a)(6), 203(a)(7), and 203(a)(8) of the NGPA, in the *Federal Register*, in accord with § 282.304 of the Commission's regulations. (The thresholds for gas described in sections 203(a)(5)-(8) are either maximum lawful prices, as computed pursuant to Title I, or are computed by the Energy Information Administration of the Department of Energy and furnished to the Commission.)

C. Effective Date

The Commission hereby makes this regulation effective immediately upon issuance of this order. The regulation concerns agency practice and procedure; accordingly, pursuant to 5 U.S.C. 553 (b) and (d), public notice and comments are not required. The Commission, nevertheless, invites interested members of the public to submit comments regarding this new delegation. The Commission and its staff will evaluate any information received from interested persons and will consider appropriate revisions to these regulations based on comments received. An original and 14 copies

should be filed by April 30, 1980, with the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. All comments should refer, on the cover page, to Docket No. RM79-59.

(Natural Gas Act, as amended, (15 U.S.C. 717 *et seq.*); Department of Energy Organization Act, (42 U.S.C. 7107 *et seq.*), Natural Gas Policy Act, Pub. L. 95-621, 92 Stat. 3350; E.O. 12009, 42 FR 46267)

For the reasons stated herein, Part 375 of Subchapter W of Chapter I, Title 18, Code of Federal Regulations, is amended as set forth below, effective immediately.

By the Commission.
Kenneth F. Plumb,
Secretary.

Section 375.307 is amended by adding new paragraphs (k) and (l) to read as follows:

§ 375.307 Delegations to the Director of the Office of Pipeline and Producer Regulation.

The Commission authorizes the Director of the Office of Pipeline and Producer Regulation or in the Director's absence, the Director's designee to:

(k) Compute, for each month, pursuant to section 101(b)(6) of the Natural Gas Policy Act of 1978, the maximum lawful prices prescribed under Title I of the Act and the monthly equivalent of the annual inflation adjustment factor for each such month, and to publish as soon as possible thereafter such prices and such factor for such month in the *Federal Register*.

(l) Compute, for each month, pursuant to section 203(c) of the Natural Gas Policy Act, the incremental pricing threshold applicable for such month and to publish in the *Federal Register* the thresholds required for natural gas supplies to comply with the requirements of § 282.501 no later than 5 days prior to the first day of such month, as required by § 282.304.

[FR Doc. 80-12061 Filed 4-18-80; 8:45 am]
BILLING CODE 6450-85-M

ENVIRONMENTAL PROTECTION AGENCY

21 CFR Part 561

[FRL 1470-5; 80P-21]

Tolerances for Pesticides in Animal Feeds Administered by the Environmental Protection Agency; Chlorpyrifos

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This rule establishes a feed additive regulation related to the experimental use of the insecticide chlorpyrifos on dried citrus pulp. The regulation was requested by Dow Chemical U.S.A. This rule will permit the marketing of dried citrus pulp while further data is collected on the subject pesticide.

EFFECTIVE DATE: April 21, 1980.

FOR FURTHER INFORMATION CONTACT: Mr. Charles Mitchell, Acting Product Manager (PM) 12, Registration Division (TS-767), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW, Washington, DC 20460 (202-426-2635).

SUPPLEMENTARY INFORMATION: On March 14, 1979, the EPA announced (44 FR 15535) that Dow Chemical U.S.A., P.O. Box 1706, Midland, MI 48640, had filed a food additive petition (FAP 9H5205). This petition proposed that 21 CFR 561.98 be amended by the establishment of a regulation permitting combined residues of the insecticide chlorpyrifos (*O,O*-diethyl *O*-(3,5,6-trichloro-2-pyridyl)phosphorothioate) and its metabolite 3,5,6-trichloro-2-pyridinol in or on the animal feed dried citrus pulp resulting from application of chlorpyrifos to growing lemons and oranges with a tolerance limitation of 15 parts per million (ppm). The notice inadvertently omitted mentioning that chlorpyrifos is to be applied in connection with an experimental program. Thus, the notice is hereby corrected to provide for application of chlorpyrifos in accordance with an experimental use permit that is being issued concurrently under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended in 1972, 1975, and 1978 (92 Stat. 7 U.S.C. 136). No comments were received by the Agency in response to this notice of filing.

The scientific data reported and other relevant material have been evaluated, and it has been determined that the pesticide may be safely used in accordance with the provisions of the experimental use permit which is being issued concurrently under FIFRA. It has further been determined that since residues of the pesticide may result in dried citrus pulp from the agricultural uses provided for in the experimental use permit, the feed additive regulation should be established and should include a tolerance limitation. (A related document concerning the establishment of temporary tolerances for residues of chlorpyrifos in or on lemons and oranges appears elsewhere in today's *Federal Register*).

The data submitted in the petition and other relevant material have been evaluated. The toxicological data considered in support of the proposed tolerance included a two-year rat feeding/oncogenicity study and a dog feeding study with a no-observed-effect level (NOEL) of 0.1 milligram (mg)/kilogram (kg) of body weight (bw). Studies on delayed neurotoxicity and reproduction showed negative potentials. Based on the two-year chronic rat feeding study with a 0.1 mg/kg bw NOEL on cholinesterase activity and using a safety factor of 10, the acceptable daily intake (ADI) for man is 0.01 mg/kg bw/day. The theoretical maximum residue contribution (TMRC) in the human diet from the proposed tolerance and tolerances which have been previously established for residues of chlorpyrifos on a variety of raw agricultural commodities at levels ranging from 0.01 ppm to 1.5 ppm does not exceed the ADI. A food additive regulation (21 CFR 193.85) has previously been established for chlorpyrifos in food-handling establishments. Feed additive tolerances have also been established (21 CFR 561.98) for residues of chlorpyrifos in dried sugar beet pulp at 1 ppm, sorghum milling fractions at 1.5 ppm, and sugar beet molasses at 3 ppm.

The metabolism of chlorpyrifos is adequately understood, and an adequate analytical method (gas chromatography) is available for enforcement purposes. No actions are currently pending against registration of chlorpyrifos, nor are there any other relevant considerations involved in establishing the proposed tolerances. The established tolerances for residues of chlorpyrifos in milk, meat, poultry, and eggs are adequate to cover the proposed uses as delineated in 40 CFR 180.6(a)(2).

The pesticide is considered useful for the purpose for which a tolerance is sought. Therefore, the regulation establishing a tolerance for residues of chlorpyrifos at 15 ppm in or on dried citrus pulp by amending 21 CFR 561.98 is being promulgated. Accordingly, a feed additive regulation is established as set forth below.

Any person adversely affected by this regulation may, on or before May 2, 1980, file written objections with the Hearing Clerk, EPA, Rm. M-3708 (A-110), 401 M St. SW., Washington, DC 20460. Such objections should be submitted in triplicate and specify the provisions of the regulation deemed to be objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the

hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

Under Executive Order 12044, EPA is required to judge whether a regulation is "significant" and therefore subject to the procedural requirements of the Order or whether it may follow other specialized development procedures. EPA labels these other regulations "specialized". This regulation has been reviewed, and it has been determined that it is a specialized regulation not subject to the procedural requirements of Executive Order 12044.

Effective April 21, 1980, 21 CFR 561.98 is amended as set forth below.

Section 561.98 is revised by designating the existing text as paragraph (a) and by adding the new paragraphs (b), (c), and (d), as follows:

§ 561.98 Chlorpyrifos.

(a) * * *

(b) A tolerance is established for combined residues of the insecticide chlorpyrifos (*O,O*-diethyl *O*-(3,5,6-trichloro-2-pyridyl) phosphorothioate) and its metabolite 3,5,6-trichloro-2-pyridinol in or on dried citrus pulp intended for animal feed at 15 parts per million, resulting from application of the pesticide to the growing raw agricultural commodities lemons and oranges in accordance with the provisions of an experimental use permit that expires April 10, 1981.

(c) Residues in or on dried citrus pulp not in excess of 15 parts per million resulting from the use described in paragraph (b) of this section remaining after this expiration of the experimental use program will not be considered actionable if the pesticide is legally applied during the term of and in accordance with the provisions of the experimental use permit and feed additive tolerances.

(d) Dow Chemical U.S.A. shall immediately notify the Environmental Protection Agency of any findings from the experimental use that have a bearing on safety. The firm must also keep records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

(Sec. 409(c)(1), 72 Stat. 1786, (21 U.S.C. 348(c)(1)).)

Dated: April 10, 1980.

Edwin L. Johnson,

Deputy Assistant Administrator for Pesticide Programs.

[FR Doc. 80-12099 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

Schedules of Controlled Substances: Schedule II Placement of the Methamphetamine/Amphetamine Immediate Precursor: Phenylacetone (Phenyl-2-propanone, P2P, Benzyl Methyl Ketone, Methyl Benzyl Ketone)

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Response to comments on final order.

SUMMARY: This document refers to the Final Order published at 44 FR 71822 (December 12, 1979) which placed the substance phenylacetone into Schedule II of the Controlled Substances Act. That document invited public comment on the Final Order. After consideration of all comments and objections, the Drug Enforcement Administration has determined that none raised issues which would warrant revocation or amendment of the issued order.

FOR FURTHER INFORMATION CONTACT: Howard McClain, Jr., Chief, Regulatory Control Division, Drug Enforcement Administration, Telephone: (202) 633-1366.

SUPPLEMENTARY INFORMATION: A Final Order was issued on December 7, 1979 by the Administrator of the Drug Enforcement Administration placing the substance, phenylacetone, also known as phenyl-2-propanone, benzyl methyl ketone, methyl benzyl ketone and P2P, in Schedule II of the Controlled Substances Act, effective February 11, 1980 (44 FR 71822, December 12, 1979). The effect of the Order provided regulatory controls upon the manufacture, distribution, importation and exportation of this immediate precursor to methamphetamine and amphetamine.

All interested persons were invited to submit comments and objections related to the issue within the two month period between publication of the Order and the first effective dates imposing regulatory controls for phenylacetone, as to whether, and to what extent, the required compliance by industry with Schedule II controls would or might likely hinder their legitimate manufacturing and sales activities with phenylacetone, so as to outweigh the expected benefits resulting from Schedule II placement of phenylacetone in curbing illicit manufacture of methamphetamine and amphetamine. Nine written comments were received from six companies which manufacture,

purchase, use or sell phenylacetone in their legitimate business transactions. All comments and objections were considered and responded to by letter. The responding companies were advised that their remarks would be fully considered by the Administrator of the Drug Enforcement Administration in his determination of whether the Final Order should stand as published, or be rescinded or amended, as he determined to be appropriate and justified. The comments and responses are on file with the DEA Federal Register Representative, Drug Enforcement Administration, 1405 Eye Street, NW, Washington, DC 20537, and may be publicly viewed there.

After consideration of all such comments and objections, the Administrator has determined that none have raised significant issues which would warrant revocation or amendment of the subject Order issued December 7, 1979, and, therefore, the Administrator shall not revoke nor amend the December 7, 1979 Order, nor the effectiveness of the terms and provisions thereof, which placed phenylacetone into Schedule II of the Controlled Substances Act.

Dated: April 10, 1980.

Peter B. Bensinger,
Administrator, Drug Enforcement
Administration.

[FR Doc. 80-12097 Filed 4-18-80; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for
Housing—Federal Housing
Commissioner

24 CFR Part 205

[Docket No. R-80-793]

Mortgage Insurance and Home Improvement Loans; Change in Interest Rates

AGENCY: Department of Housing and
Urban Development.

ACTION: Final rule.

SUMMARY: The change in the regulations increases the maximum interest rate on the HUD/FHA Title X mortgage insurance program for land development. This action by HUD is designed to bring the maximum interest rate on HUD/FHA-insured land development loans into line with other competitive market rates and help assure adequate supply of FHA financing for land development projects.

EFFECTIVE DATE: April 9, 1980.

FOR FURTHER INFORMATION CONTACT:

John N. Dickie, Director, Financial Analysis Division, Office of Financial Management, Department of Housing and Urban Development, 451 7th Street SW., Washington, D.C. 20410 (202-426-4667).

SUPPLEMENTARY INFORMATION: The following miscellaneous amendments have been made to this chapter to increase the maximum interest rate which may be charged on land development loans insured by this Department under the Title X program. The maximum interest rate on the HUD/FHA land development program has been raised from 13.00 percent to 14.00 percent.

The Secretary has determined that such a change is immediately necessary to meet the needs of the market and to prevent speculation in anticipation of a change, in accordance with his authority contained in 12 U.S.C. 1709-1, as amended. The Secretary has, therefore, determined that advance notice and public comment procedures are unnecessary and that good cause exists for making this amendment effective immediately.

A Finding of Inapplicability respecting the National Environmental Policy Act of 1969 has been made in accordance with HUD's environmental procedures. A copy of this Finding of Inapplicability will be available for public inspection during regular business hours in the Office of the Rules Docket Clerk, Office of the General Counsel, Room 5218, Department of Housing and Urban Development, 451 7th Street SW., Washington, D.C. 20410.

Accordingly, Chapter II is amended as follows:

PART 205—MORTGAGE INSURANCE FOR LAND DEVELOPMENT

Subpart A—Eligibility Requirements

1. Section 205.50 is amended to read as follows:

§ 205.50 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 14.00 percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after April 9, 1980.

(Sec. 3(a), 82 Stat. 113; (12 U.S.C. 1709-1); sec. 7 of the Department of Housing and Urban Development Act, (42 U.S.C. 3535(d)))

Issued at Washington, D.C., April 8, 1980.

Lawrence B. Simons,
Assistant Secretary for Housing—Federal
Housing Commissioner.

[FR Doc. 80-12060 Filed 4-18-80; 8:45 am]

BILLING CODE 4210-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 147

[CCGD11-80-01]

Establishment of Safety Zones Around Structures Being Constructed on the Outer Continental Shelf (OCS)

AGENCY: Coast Guard, Department of
Transportation.

ACTION: Final rule.

SUMMARY: This document establishes an emergency safety zone and related regulations under the provisions of title 33 Code of Federal Regulations Section 147.03-3(b) around Platforms ELLEN and ELLY, fixed structures being constructed on the OCS in the Gulf of Santa Catalina south of the ports of Los Angeles and Long Beach. Platforms ELLEN and ELLY are the first two structures installed by Shell Oil Company in their BETA development plan to develop subseabed resources discovered pursuant to OCS lease #35. The first structure, Platform ELLEN was installed 1 December 1979 and Platform ELLY on 13 March 1980. These structures are the first ever allowed to be sited in the separation zone of a Traffic Separation Scheme. The Scheme involved is the Approaches to Los Angeles/Long Beach Traffic Separation Scheme. The Commander, Eleventh Coast Guard District has made an inquiry and determined that this safety zone is necessary to promote safety of life and property on the structures, their appurtenances and attending vessels and in the adjacent waters during the construction periods.

EFFECTIVE DATE: The safety zone and regulations established herein are effective 13 March 1980.

FOR FURTHER INFORMATION CONTACT: Lt Robin A. Wendt, Project Manager, Eleventh Coast Guard District Hearing Officer, Eleventh Coast Guard District, Union Bank Building, Suite 911, 400 Ocean Avenue, Long Beach, California 90822, Telephone (213) 590-2386.

DRAFTING INFORMATION: The principal persons involved in drafting this rule are Lieutenant Robin A. Wendt, Project Manager, Eleventh Coast Guard District Hearing Officer, and Lieutenant

Commander Ronald S. Matthew, Project Counsel, Eleventh Coast Guard District Legal Office.

SUPPLEMENTARY INFORMATION: On February 20, 1979 the Commander, Eleventh Coast Guard District published an advance notice of proposed rulemaking on safety zones around fixed structures both on the OCS and in the navigable waters adjacent to Southern California (44 FR 10399). This was the first of a three stage rulemaking process designed to implement permanent safety zones around such structures. Platforms ELLEN and ELLY were not included in that notice. At the time, Shell Oil Company had not received a Corps of Engineers permit for them. That permit has since been issued and Shell has commenced installation and construction operations. There was not adequate time to complete the normal rulemaking process considering Platforms ELLEN and ELLY, i.e. a Notice of Proposed Rulemaking, comment period and a Final Rule.

The Commander, Eleventh Coast Guard District has determined that the establishment of this safety zone and its regulations is necessary to promote safety of life and property on the structure, its appurtenances and attending vessels and on the adjacent waters during the construction period. Further, the District Commander has determined that without the establishment of this emergency safety zone around these platforms, an imminent danger would exist.

Discussion: Platforms ELLEN and ELLY are the first two structures of any sort designed for the development of sub-seabed natural resources to be sited within a routing measure adopted by the Intergovernmental Maritime Consultative Organization (IMCO). IMCO is the maritime arm of the United Nations and is the international authority on vessel routing measures. The routing measure in question is the "Approaches to Los Angeles/Long Beach Traffic Separation Scheme" (TSS), also known as the Gulf of Santa Catalina (GSC) TSS. Platforms ELLEN and ELLY are sited within the TSS Separation Zone, that area which separates opposing traffic lanes, such that a maximum size safety zone of 500 meters would not interfere with either Traffic Lane. This is significant because a safety zone may not interfere with a recognized sea (traffic) lane.

The siting of fixed structures within a routing measure, of which a TSS is just one type, is not recommended by IMCO as set forth in IMCO Resolution A378(X) which states in Section 3.9,

"Governments are recommended to

ensure, as far as practicable, that oil rigs, platforms and other similar structures are not established within routing systems adapted by the Organization or near their terminations." A Separation Zone is a part of a TSS and siting a structure there constitutes a structure within a routing measure. The Commander, Eleventh Coast Guard District is convinced however that there is no other way to extract the natural resources in the area other than siting appropriate structures in the Separation Zone. Therefore, in keeping with the national energy goals the District Commander did not object to these structures but has determined that they pose a potential threat to navigation and the environment.

Platforms ELLEN and ELLY are sited in a TSS where significant marine traffic exists, much of which carries hazardous and particularly hazardous cargoes. It also lies in an area between numerous mainland marinas and offshore islands in which recreational vessel traffic occurs. Further it lies in close proximity to the Huntington Beach offshore tanker mooring. Much of the marine traffic which is in close proximity to site of platforms ELLEN and ELLY could cause damage to the platform in the event of a collision. Though vessels do not normally navigate in a Separation Zone, they may enter it (1) when crossing the Separation Zone but must do so at right angles or as nearly so as practicable; (2) in cases of emergency to avoid imminent danger; or (3) to engage in fishing. Since these structures are the first to be in a Separation Zone, their location there will be unexpected. Many vessels which are too small to inflict damage to the structure could nevertheless incur damage to themselves in the event of a collision. The safety zone is the area within a curved line five hundred meters from the outer edge of both structures. It should be noted that Platform ELLY is only 122 meters northwest of Platform ELLEN. A maximum size safety zone with the same restrictions as this safety zone was established around Platform ELLEN on 1 December 1979. Instead of establishing two separate safety zones in which the navigation restrictions are the same and which would overlap each other to the extent of 90 percent, a single safety zone is being established. The safety zone around platform ELLEN is being disestablished for clarity and a new safety zone under a new section serving both structures is being established. This safety zone is somewhat bigger than the earlier safety zone to encompass the area 500 meters from the edge of Platform ELLY as well as Platform ELLEN and the regulations

within it are exactly the same as the regulations established in the earlier safety zone around Platform ELLEN.

Platform ELLEN. In consideration of the foregoing, Title 33, Code of Federal Regulations, Subpart 147.05—OCS Safety Zones is hereby amended as follows:

Subpart 147.05—OCS Safety Zones

§ 147.05-11.03 [Revoked]

Section 147.05-11.04 is added to read as set forth below.

§ 147.05-11.04 Platforms ELLY and ELLEN safety zone, Gulf of Santa Catalina.

(a) Description: The area within a curved line 500 meters around the outer edge of both structures. The structures are approximately 120 meters apart. The position of the center of each structure is: Platform ELLY 33°34'57"N, 118°07'40"W; and Platform ELLEN 33°34'57"N, 118°07'41"W.

(b) Regulations: No vessels may enter or remain in this safety zone except the following: (1) vessels involved in the construction of either Platform ELLY or ELLEN, (2) vessels which normally attend either platform ELLY or ELLEN or (3) vessels authorized by the Commander, Eleventh Coast Guard District.

(Sec. 633, 63 Stat. 545, Sec. 4(e)(1), 67 Stat. 463, Sec. 6(b)(1), 80 Stat. 938; 14 U.S.C. 633; 43 U.S.C. 1333(e)(1), 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b); 33 CFR 147.01 in conformance with paragraphs 2, 3, 6 and 7 of Article 5, Convention on the Continental Shelf (TIAS 5578) and Article 2, Convention on the High Seas (TIAS 5200).)

Dated: March 13, 1980.

R. G. Moore,

Acting Commander, Eleventh Coast Guard District.

[FR Doc. 80-12137 Filed 4-18-80; 8:45 am]

BILLING CODE 4910-14-M

POSTAL SERVICE

39 CFR Part 111

Solicitations in the Guise of Bills, Invoices, or Statements of Account

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: This final rule amends the regulations implementing statutory provisions on the mailing of solicitations in the guise of bills, invoices, or statements of account (39 U.S.C. 3001(d)). The amendments cause the regulations more clearly to foreclose certain potentially deceptive techniques and formats used recently by some mailers of such solicitations.

EFFECTIVE DATE: May 21, 1980.

FOR FURTHER INFORMATION CONTACT:

John F. Ventresco, (202) 245-4385.

SUPPLEMENTARY INFORMATION:

On March 6, 1980, the Postal Service published for comment in the Federal Register (45 FR 14605) proposed changes to 123.41 of the Domestic Mail Manual as described in the Summary. Interested persons were invited to submit written comments concerning the proposed changes by April 5, 1980.

A total of six comments were received. Five were from associations or governmental groups and one was from an individual. All favored the rule as proposed and urged its adoption. Three thought the problem of solicitations in the guise of invoices could only be finally solved by barring them from the mail. Since this would require, as some of the commenters recognized, a change in the law, it is beyond the scope of this rulemaking proceeding.

In view of the favorable comments received, the Postal Service hereby adopts, without change, the following revisions of the Domestic Mail Manual, which is incorporated by reference in the Federal Register. See 39 CFR 111.1.

Part 123—Nonmailable matter—Written, Printed, and Graphic

In 123.4, revise .41 to read as follows:

123.4 Nonmailable Written, Printed or Graphic Matter Generally

.41 Solicitations in the Guise of Bills, Invoices, or Statements of Account (39 U.S.C. 3001(d); 39 U.S.C. 3005).

Any otherwise mailable matter which reasonably could be considered a bill, invoice, or statement of account due, but is in fact a solicitation for an order, is nonmailable unless it conforms to .41a through .41h below. A nonconforming solicitation constitutes *prima facie* evidence of violation of 39 U.S.C. 3005.

a. The solicitation must bear on its face the disclaimer prescribed by 39 U.S.C. 3001(d)(2)(A) or, alternatively, the notice: **THIS IS NOT A BILL. THIS IS A SOLICITATION. YOU ARE UNDER NO OBLIGATION TO PAY UNLESS YOU ACCEPT THIS OFFER.** The statutory disclaimer or the alternative notice must be displayed in conspicuous boldface capital letters of a color prominently contrasting (see .41g below) with the background against which it appears, including all other print on

the face of the solicitation, and at least as large, bold, and conspicuous as any other print on the face of the solicitation, but not smaller than 30-point type.

b. The notice or disclaimer required by this section must be displayed either:

(1) On the center of the diagonal described by a straight line drawn from the vertex of the lower left corner to the vertex of the upper right corner; or

(2) Overprinting each portion of the solicitation which reasonably could be considered to specify a monetary amount due and payable by the recipient.

c. The notice or disclaimer must not be preceded or followed by words or symbols which introduce, modify, qualify or explain the prescribed text, such as "Legal notice required by law".

d. The notice or disclaimer must not, by folding or any other device, be rendered unintelligible or less prominent than any other information on the face of the solicitation.

e. If a solicitation consists of more than one page, the notice or disclaimer required by this section must be displayed on the face of each page at a location permitted by .41b.

f. Regardless of the number of pages comprising the solicitation, if any page is designed to be separated into portions (e.g., by tearing along a perforated line), the notice or disclaimer required by this section must be displayed in its entirety on the face of each portion that might reasonably be considered a bill, invoice, or statement of account due.

g. For purposes of this section, the phrase "color prominently contrasting" excludes any color, or any intensity of an otherwise included color, which does not permit legible manual, mechanical, electronic, and photographic reproduction, and which is not at least as vivid as any other color on the face of the solicitation. For the purposes of this section the term "color" includes black.

h. Any solicitation which states that it has been approved by the Postal Service or by the Postmaster General or that it conforms to any postal law or regulation is nonmailable.

A transmittal letter making these changes in the pages of the Domestic Mail Manual will be published and will be transmitted to subscribers automatically. These changes will be published in the Federal Register as provided in 39 CFR 111.3.

(39 U.S.C. 401, 4001, 3005)

W. Allen Sanders,

Associate General Counsel for General Law and Administration.

(FR Doc. 80-12106 Filed 4-18-80; 8:45 am)

BILLING CODE 7710-12-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE**Health Care Financing Administration****42 CFR Part 405****Prohibition of Reassignment of Claims by Providers and Suppliers**

AGENCY: Health Care Financing Administration (HCFA), HEW.

ACTION: Final rule.

SUMMARY: These regulations prohibit a provider or a physician or other supplier of services from reassigning claims for Medicare reimbursement, except in certain specified situations. They also impose administrative sanctions on providers or physicians or other suppliers who violate the prohibition. A provider who violates this prohibition is subject to termination of its provider agreement; a physician or other supplier is subject to revocation of the right to receive assignment from Medicare beneficiaries. The regulations also impose the same administrative sanction on physicians and other suppliers who violate their assignment agreements, chiefly their agreement to accept the reasonable charge as the full charge for the service.

The regulations implement certain provisions of the Medicare-Medicaid Anti-Fraud and Abuse Amendments of 1977 (Pub. L. 95-142). They are designed to prevent the sale of Medicare claims at a discount from face value and to protect beneficiaries from becoming liable for excessive charges by physicians and other suppliers.

EFFECTIVE DATE: The regulations shall be effective on May 21, 1980.

FOR FURTHER INFORMATION CONTACT:

Harold Fishman, Bureau of Program Policy, Health Care Financing Administration, Room 448, East High Rise Building, Baltimore, Maryland 21235, Telephone: (301) 594-9077.

SUPPLEMENTARY INFORMATION:

Background

Under Medicare (title XVIII of the Social Security Act), the benefit payments for covered services furnished by a provider of service (a hospital, skilled nursing facility, or home health agency) are determined based on reasonable costs and are made to the provider. The benefit payments for covered services furnished by a physician or other supplier are determined based on reasonable charges and made either to the beneficiary on the basis of an itemized bill or to the physician or other supplier based on an assignment under which the physician or other supplier agrees to accept the reasonable charge determined by the Medicare carrier as the full charge for the service.

In 1972, the Congress acted to stop the practice under which some physicians and other suppliers providing Medicare and Medicaid services reassigned their Medicare and Medicaid claims to other organizations and groups, that then claimed and received payment. Often the organizations (frequently called "factors") purchased the claims at a percentage of face value. By 1972, it was apparent that such reassignments were a source of incorrect, inflated, and even fraudulent Medicare and Medicaid claims. Therefore, the Social Security Amendments of 1972 (Pub. L. 92-603) prohibited payment for covered services to anyone other than the patient, his physician or other person who provided the service, with limited exceptions.

Despite these efforts to stop the factoring of Medicare and Medicaid claims, some physicians and other suppliers circumvented the intent of the law by use of a power of attorney. This allowed the factoring company or other person to receive the Medicare or Medicaid payments in the name of the physician or other supplier, thus permitting continuation of program abuses associated with payment to such persons in the past.

Section 2 of the Medicare-Medicaid Anti-Fraud and Abuse Amendments of 1977 (Pub. L. 95-142) modified existing law to prohibit the use of power of attorney as a device for reassignment of Medicare benefits. It also provided for limited exceptions to the general prohibition.

Provisions of the Regulations

Prohibition against reassignment.—These regulations implement the

provisions of section 2 of Pub. L. 95-142 for the Medicare program. We published final regulations implementing the statutory prohibition applicable to Medicaid claims in the *Federal Register* on March 3, 1978 (43 FR 8800). The regulations published today prohibit the Medicare program from paying benefits due a provider or physician or other supplier to any other person through an assignment, reassignment, power of attorney or any other arrangement allowing that other person to receive the payment directly.

The term "power of attorney" as used in these regulations means written authorization to an agent of the provider or physician or other supplier: to receive, in the name of the agent, payment due the provider or physician or other supplier; to negotiate checks payable to the provider or physician or other supplier; or to receive in any other manner direct payment of amounts due the provider or physician or other supplier.

Exceptions to prohibition of reassignment.—There are certain exceptions to the general prohibition of reassignment of claims. The regulations permit the Medicare program to pay claims assigned or reassigned:

- (a) To a government agency or entity (subject, however, to the requirements of the Assignment of Claims Act, 31 U.S.C. 203);
- (b) In accordance with the order of a court of competent jurisdiction;
- (c) To an agent who submits bills and receives payment in the name of the provider or physician or other supplier if the following conditions are met:
 - (1) The agent receives the payment under an agency agreement;
 - (2) The agent's compensation is not related to the dollar amount billed or collected;
 - (3) The agent's compensation is not dependent on the actual collection of payment;
 - (4) The agent acts under authority which the provider or physician or other supplier may modify or revoke at any time; and
 - (5) In receiving the payment, the agent acts only on behalf of the provider or physician or other supplier; and
- (d) to an employer, facility, or organized health care delivery system under a reassignment by a physician or other supplier. The Medicare program may pay the benefits due such assignee to another party when permissible under conditions (a), (b), or (c).

Administrative sanctions.—Violation of the assignment or reassignment

provisions can result in the imposition of administrative sanctions. Although Pub. L. 95-142 makes no express provision for imposition of administrative sanctions, we believe they are a reasonable and appropriate means for carrying out the provisions and purposes of the anti-fraud and abuse amendments.

Therefore, HCFA may terminate a provider's agreement for participation in the Medicare program if the provider:

(a) Executes or continues in effect an assignment or power of attorney, or enters into or continues any other arrangement, that authorizes payment contrary to the regulations; or

(b) Fails to furnish HCFA or the intermediary for the provider evidence HCFA or the intermediary needs to determine compliance with the regulations.

The termination of a provider agreement is subject to the administrative appeals process in 42 CFR Part 405, Subpart O.

HCFA may revoke the right of a physician or other supplier to receive assigned benefits if the physician or other supplier has been notified of the impropriety of the practice and:

(a) Executes or continues in effect a reassignment or power of attorney or enters into or continues any other arrangement that authorizes or permits payment contrary to the regulations;

(b) Fails to furnish HCFA or the carrier for the physician or other supplier evidence HCFA or the carrier needs to establish compliance with the regulations;

(c) Collects or attempts to collect more than the reasonable charge for items or services after accepting assignment of benefits for such items or services; or

(d) Fails to refund monies incorrectly collected under (c).

Before imposing an administrative sanction, HCFA will notify the physician or other supplier of the proposed revocation of his right to receive assigned benefits and give him 15 days in which to submit a statement, including any pertinent evidence, explaining why his right to receive payment should not be revoked. After the statement has been submitted or the 15-day period has expired without the filing of the statement, HCFA will determine whether to revoke the physician's or other supplier's right to receive payment. If its determination is to revoke, HCFA will taken action to have payment suspended on all assigned claims received after the effective date of the revocation and will notify the physician or other supplier of

the revocation, and of his right to request a formal hearing within 60 days.

If the physician or other supplier requests a formal hearing and the hearing official reverses the revocation determination, HCFA will pay the physician's or other supplier's claims. If the hearing official upholds the revocation determination, any payments otherwise due the physician or other supplier will be made to the beneficiary who received the services, or to another person or agency authorized under the law and regulations to receive the payments. The revocation will remain in effect until HCFA finds that the reason for the revocation has been removed and that there is reasonable assurance that it will not recur.

Under section 1877(d) of the Social Security Act, it is a misdemeanor for a physician or other supplier to knowingly, willfully, and repeatedly violate the terms of an assignment agreement. HCFA can invoke administrative sanctions in appropriate cases to deny payment while criminal prosecution is being considered or is in process, or as an alternative when prosecution is inappropriate or not feasible. Since these sanctions may in some cases interfere with effective prosecution, the regulations provide that HCFA's imposition of the sanctions is discretionary rather than mandatory.

The administrative sanctions may deter violations of the assignment agreement but they will not necessarily provide relief to the victims of the violations. HCFA may request the Department of Justice to apply to the appropriate Federal Court for an injunction ordering a physician or other supplier to stop efforts to collect from a beneficiary or other person, and to refund amounts collected in violation of the terms of the Medicare assignment agreement.

Discussion of Major Comments

We published a Notice of Proposed Rule Making on August 23, 1978 (43 FR 37469). Nine persons and organizations, including several hospital associations and an association of medical billing service bureaus, submitted comments. Responses to the comments are described below.

1. Can Medicare Accounts Receivable Be Assigned to Lending Institutions?

Several commenters stated that the proposed regulations would interfere with traditional financing arrangements by preventing hospitals and skilled nursing facilities from using Medicare accounts receivable to secure working capital loans. They contended that the law was not intended to prevent the pledging of accounts receivable as

security for repayment of interest-bearing loans. They recommended that the regulations be revised to provide that Medicare benefits could be paid to a public or private lending agency or institution if the provider assigned them to secure loans, as evidenced by a security agreement and financing statement duly recorded as required by local law.

The regulations conform to the broad language of section 2 of Pub. L. 95-142, which prohibits the payment of Medicare benefits under an assignment by a provider of health care services to any other person (except to a government entity or by or pursuant to a court order). This prohibition applies equally whether the assignee of the provider is a bank that has a security interest in the Medicare accounts receivable or a factor who has purchased them at a discount. A change in this provision would require legislation and cannot be made by regulation.

The regulations do not prohibit a lender from obtaining from a provider a nonpossessory security interest in the provider's Medicare receivables, i.e., an interest that the lender can enforce against the provider by court action. The regulations affect financing arrangements between lending institutions and providers of services only by precluding a lender from receiving the Medicare payments directly without a court order. Since some commenters expressed uncertainty on the matter, we revised the final regulations in § 405.1668(b) to state this explicitly. We made a comparable change in § 405.1680(c) concerning payment due physicians and other suppliers.

2. Can Billing Agents Who are Compensated Based on a Percentage of Billings or Collections Receive Medicare Payments and Negotiate Them Under Power of Attorney?

One commenter was concerned that the regulations will ban legitimate billing arrangements under which an agent is compensated for a variety of bookkeeping and management services based on a percentage of the amount billed or collected. He recommended that we revise the regulations to remove this ban and to provide other safeguards against unethical practices.

The regulations conform with section 2 of Pub. L. 95-142, which provides that Medicare benefits payable to a provider or a physician or other supplier may not be paid under a power of attorney to an agent who is compensated for his services based on a percentage of the amount billed or collected. A change in

this provision would require legislation and cannot be made by regulation.

However, the law does not preclude a provider or physician or other supplier from compensating its agent under a percentage arrangement if the Medicare payment is sent directly to the provider or physician or other supplier and not to the agent.

3. Can an Agent Receive Medicare Payment in the Agent's own Name?

One commenter suggested that the proposed regulations improperly permit Medicare payment to be made to an agent in the agent's own name.

This is not the case. The proposed regulations stated that "payment may be made to an agent who submits bills and receives payment in the name of the supplier of services * * *" if specified conditions are met. For greater clarity, we revised this statement to read that the "Medicare program may pay, in the name of the supplier of services * * *, an agent who furnishes billing or collection services * * *"

(§ 405.1680(d)(6)). We made a comparable change in § 405.1668(c)(3) concerning agents of providers of services.

4. Is a Formal Agency Agreement Required?

One commenter pointed out that an agency agreement often may not be expressed in a formal written agreement. He was concerned that the Medicare program might mandate some minimum acceptable contract form.

A formal written contract is not required. However, before making payment, the Medicare intermediary or carrier must have documentation that the understanding between the parties reflects the conditions required by law. Such documentation includes, for example, statements of the parties as to the terms of the agreement or copies of correspondence between the parties.

5. Can an Agency Agreement Require a Provider or Supplier to Give the Agent Fair Notice Before Revoking the Agreement?

One commenter questioned the requirement that the agent act "under authority which the supplier or other party may modify or revoke at any time". He indicated that this requirement could subject the agent to risk of great financial loss by permitting the supplier or other client to revoke the agent's agreement without fair notice of its intention to do so. The commenter suggested a provision that the agent could require 90 days notice.

The language in the regulations is intended to ensure that the provider or supplier has the power to immediately modify or revoke any instruction it has given the agent to turn over the

Medicare payment to another person; it does not relieve the provider or supplier from payment of damages for breach of contract if it terminates an agreement without fair notice. To clarify this, we revised the final regulations in § 405.1680(d)(6)(iv) to require that the agent act "under payment disposition instructions that the supplier or other party may modify or revoke at any time". A comparable change was made in § 405.1668(c)(3)(iv) concerning agents of providers.

6. Do the Medicaid Regulations Conflict with the Proposed Medicare Regulations with Respect to the Compensation of Agents?

One commenter suggested that Medicaid regulations, requiring the agent's compensation to be "reasonably related to the cost of processing the billings," conflict with the Medicare regulations that do not contain this specific requirement.

We believe that there is no conflict between the Medicaid and Medicare regulations in this regard. The Medicaid regulations merely establish a requirement that would normally be met in the Medicare program in any event if, as required in both sets of regulations, the agent's compensation is not related to the amount billed or collected.

7. Do the Prohibitions in the Regulations Against Payment of Benefits Due a Provider to Another Person Under Assignment or Power of Attorney Apply to the Patient's Portion of the Medicare Claim?

One commenter recommended that the regulations specify if and how the prohibitions against payment under assignment or power of attorney of benefits due a provider or supplier apply to the patient's portion of the Medicare claims, i.e., deductible and coinsurance amounts.

We interpret section 2 of Pub. L. 95-142 as applying only to payments from the trust funds and not to the deductible and coinsurance amounts. Therefore, we have not extended the regulation to prohibit the assignment of accounts receivable for deductible and coinsurance.

8. Will Revocation of a Physician's Right to Payment Prevent Payment to Another Entity?

The commenter suggests that the regulations be revised to clarify whether another entity may accept assignment and receive Medicare payment for the services of a physician whose assignment privilege has been revoked.

We accepted this suggestion and revised § 405.1681 by adding a paragraph (1) providing that if a physician's or other supplier's right to accept assignment is revoked, that

revocation will also apply to any corporation, partnership, or other entity in which the physician or other supplier directly or indirectly has or obtains all or all but a nominal part of the financial interest.

9. Does the Term "Facility" Include Home Health Agencies, Physical Therapy Providers, and Free Standing Renal Dialysis Facilities?

The proposed regulations (§ 405.1680) provided that under certain circumstances, Medicare payment for a supplier's services could be made to his employer, to the facility in which he furnished the services, or to an organized health care delivery system, such as a clinic or HMO. One commenter suggested that the term "facility" is defined too narrowly in § 405.1680, as including only those entities that provide inpatient services, e.g., hospitals and skilled nursing facilities. The commenter recommended that we broaden the definition to include home health agencies and physical therapy providers that meet the § 405.605 definition of provider, and renal dialysis facilities as defined in § 405.2102(e)(3), so that these entities can receive payment for physician services.

Some facilities that do not provide services to inpatients can be properly classified as clinics and, therefore, could be a reassignee of benefits under § 405.1680 as an "organized health care delivery system". Examples would include physical therapy providers, renal dialysis facilities, and some home health agencies. However, many home health agencies that are providers as defined in § 405.605 are neither facilities nor clinics and there is no basis for treating them as such. They do not furnish significant medical services in their own quarters, using their own paramedical personnel and equipment. Thus, many home health agencies will be unable to receive payment for physician services as facilities or clinics. Any home health agency may nevertheless receive payment for the services of a physician who is its employee if he is required by the terms of his employment to turn his fees over to the agency. Some home health agencies which are not facilities or clinics will receive payment for physician services on this basis.

10. How Does the Medicare Program Determine Whether a Provider or a Physician or Other Supplier is Complying with the Regulations?

One commenter suggested that HCFA impose the administrative sanctions not only for violations of the regulations but also for failure to furnish upon request evidence HCFA or the appropriate

intermediary or carrier finds necessary to establish compliance with the regulations. He stated that the sanctions may be necessary in order to obtain the provider's, physician's, or other supplier's cooperation in determining if a Medicare payment was or will be made in a manner consistent with the regulations.

We accepted this suggestion and revised the regulations in §§ 405.1668(d)(2) and 405.1681(c)(4) to include the same administrative sanctions for failure to furnish requested evidence.

11. How and to Whom Must an Assignment Established by or Pursuant to a Court Order be Documented?

One commenter suggested that the regulations set forth the procedural and related conditions that a court-ordered assignment (or reassignment) must meet to be excepted by the Medicare program from the prohibition against reassignment provisions of the regulations.

We have adopted this suggestion. The final regulations in § 450.1682 provide that a court-ordered assignment will be effective against the Medicare program only when a certified copy of the court order and the related assignment instrument, if any, are filed with the intermediary or carrier having the responsibility to process the claim or with HCFA, if it has that responsibility. If the assignment does not apply to all Medicare benefits payable for a specified or indefinite period, it must specify the amount of benefits payable by a particular intermediary or carrier or directly by HCFA. Thus, if more than one such entity—carriers, intermediaries or HCFA—has responsibility to process the claims of the provider or other person whose claims are assigned by or pursuant to court order, the necessary documentation must be filed with each entity for the court order to be effective against each entity. In addition, if a specific amount of benefits is assigned, the assignment must specify the particular amount payable by each entity. The Medicare program's use over 100 carriers and intermediaries to serve specific localities and groups of providers throughout the country does not permit it to accept general service of notice of the assignment. We expect the creditor seeking the court-ordered assignment to be responsible for having a proper order.

For the Medicare program's further protection, the final regulations provide that the party to whom payment is made by or pursuant to a court-ordered assignment and the party that would otherwise have been entitled to receive the payment incur joint and several

liability for any Medicare overpayment that may be made to the former. Additional protection is provided by an existing provision, in 42 CFR 405.454(k), that permits intermediaries to reduce the interim payments due providers that are in imminent danger of insolvency or bankruptcy. The final regulations specify that the filing of a court-ordered assignment with a provider's intermediary or with HCFA, if HCFA has responsibility to process the claims, will not affect the intermediary's (or HCFA's) authority to reduce interim payments if the provider or the court-ordered assignee is in imminent danger of insolvency or bankruptcy.

12. What is meant by the phrase "court of competent jurisdiction"?

Although Congress did not define the term "court of competent jurisdiction", we are interpreting it to mean a court that has jurisdiction over the subject matter and the parties before it.

In addition, we made several editorial and technical changes in order to clarify the regulations.

42 CFR Part 405 is amended as follows:

1. Section 405.1505 is amended by adding a new paragraph (m) to read as follows:

§ 405.1505 Administrative actions which are not initial determinations.

Administrative actions which shall not be considered initial determinations for the purpose of this subpart include, but are not limited to, the following:

(m) A finding, under

§ 405.1681(k)(3)(ii), that the reason for revocation of the supplier's right to receive supplementary medical insurance benefits has not been removed or that there is insufficient assurance that the reason for such revocation will not recur.

2. The table of contents for Subpart P is amended as follows:

Subpart P—Certification and Recertification; Claims and Benefit Payment Requirements; Check Replacement Procedures

405.1625 Certification and recertification by physicians; general.

405.1627 Inpatient hospital services other than inpatient psychiatric or tuberculosis hospital services; certification and recertification for services furnished on or after January 3, 1968.

405.1629 Inpatient tuberculosis hospital services and inpatient psychiatric hospital services; certification and recertification.

405.1630 Certification and recertification for beneficiary admitted to a hospital before entitlement to benefits.

405.1632 Post-hospital extended care services; certification and recertification.

405.1633 Home health services; certification and recertification.

405.1634 Medical and other health services covered by the supplementary medical insurance program furnished by a provider of services; certification and recertification.

405.1660 Payment on behalf of the individual; general.

405.1662 Form used for claiming payment.

405.1663 Individual's request for payment.

405.1664 Persons authorized to request payment.

405.1665 Evidence of authority to execute a request for payment.

405.1666 Signature by representative of the participating provider or hospital.

405.1667 Claim for payment by a provider of services or a hospital which has elected to claim payment for emergency services or services outside the United States.

405.1668 Prohibition of assignment of benefits by a provider.

* * * * *

405.1680 Limitation on reassignment of benefits.

405.1681 Revocation of right to receive assigned benefits.

405.1682 Conditions court-ordered assignments must meet to be excepted from basic prohibition.

Authority: Sec. 1102 of the Social Security Act (42 U.S.C. 1302).

3. A new § 405.1668 is added to read as follows:

§ 405.1668 Prohibition of assignment of benefits by a provider.

(a) *Statutory basis and scope.* This section—

(1) Implements section 1815(c) of the Act by prohibiting the assignment or other transfer of a provider's right to payment under Medicare except under specified conditions; and

(2) Sets forth the sanction that the Health Care Financing Administration (HCFA) may impose on a provider that violates this prohibition.

(b) *Basic prohibition.* Except as specified in paragraph (c) of this section, the Medicare program may not make payments due a provider of services under § 405.1660 to any other person under an assignment or power of attorney as defined in § 405.1680 or under any other arrangement where the other person receives the payment directly.

(c) *Exceptions to the prohibition.* (1) *Assignment to a governmental agency or entity.* Subject to the requirements of the Assignment of Claims Act, 31 U.S.C. 203, the Medicare program may pay a governmental agency or entity under an assignment by a provider of services.

(2) *Assignment established by court order.* The Medicare program may make payment in accordance with an assignment established by or pursuant to the order of a court of competent

jurisdiction. The assignment must satisfy the conditions in § 405.1682.

(3) *Payment to an agent.* The Medicare program may pay, in the name of the provider, an agent who furnishes billing or collection services if the following conditions are met:

(i) The agent receives the payment under an agency agreement with the provider;

(ii) The agent's compensation is not related in any way to the dollar amounts billed or collected;

(iii) The agent's compensation is not dependent upon the actual collection of payment;

(iv) The agent acts under payment disposition instructions that the provider may modify or revoke at any time; and

(v) The agent, in receiving the payment, acts only on behalf of the provider.

(d) *Termination of provider agreement.* HCFA may terminate a provider's agreement, as specified in § 405.614(a)(1), if the provider—

(1) Executes or continues a power of attorney, or enters into or continues any other arrangement, that authorizes or permits payment contrary to the provisions of this section; or

(2) Fails to furnish upon request by HCFA or the intermediary for the provider, evidence HCFA or the intermediary needs to establish compliance with the requirements of this section.

4. Section 405.1672 is amended by adding new paragraphs (e) and (f) to read as follows:

§ 405.1672 Individual's request for direct payment—General provisions.

* * * * *

(e) *Payment to governmental agency or entity.* Subject to the requirements of the Assignment of Claims Act, 31 U.S.C. 203, the Medicare program may pay supplementary medical insurance benefits to a governmental agency or entity under an assignment by an individual (or by the individual's legal representative or representative payee) who is due the benefits under paragraphs (b) through (d) of this section.

(f) *Payment under order of court.* The Medicare program may pay supplementary medical insurance benefits in accordance with an assignment established by or pursuant to the order of a court of competent jurisdiction, if the benefits are due an individual, the individual's legal representative, or representative payee under paragraphs (b) through (d) of this section. The assignment must satisfy the conditions in § 405.1682.

5. Section 405.1680 is revised to read as follows:

§ 405.1680 Limitation on reassignment of benefits.

(a) *Scope.* This section implements section 1842(b)(5) of the Social Security Act by prohibiting reassignment of the right of payment except under certain specified conditions.

(b) *Definitions.* For purposes of this section:

(1) "Facility" means a hospital or other institution that furnishes health care services to inpatients.

(2) "Organized health care delivery system" means a public or private organization for delivering health services. The system may include, but is not limited to, a clinic or a group practice prepaid capitation plan.

(3) "Supplier" means a physician or other person furnishing health care items or services, other than a provider of services.

(4) "Power of attorney" means any written authorization from a principal to an agent:

(i) To receive in the agent's name payments due the principal;

(ii) To negotiate checks payable to the principal; or

(iii) To receive in any other manner direct payment of amounts due the principal.

(c) *Basic prohibition.* Except as specified in paragraph (d) of this section, the Medicare program may not make payments due a supplier under §§ 405.1675 or 405.1684 to any other person under reassignment or power of attorney or any other arrangement where the other person receives the payment directly.

(d) *Exceptions to the prohibition.* (1) *Payment to employer.* The Medicare program may pay the employer of the supplier if the supplier is required, as a condition of his employment, to turn over to his employer the fees for his services.

(2) *Payment to facility.* The Medicare program may pay the facility in which the service was furnished if there is a contractual arrangement between the facility and the supplier under which the facility bills for the supplier's services.

(3) *Payment to organization.* The Medicare program may pay an organized health care delivery system if there is a contractual arrangement between the organization and the supplier under which the organization bills for the supplier's services.

(4) *Payment to a governmental agency or entity.* Subject to the requirements of the Assignment of Claims Act, 31 U.S.C. 203, the Medicare program may pay a

governmental agency or entity under a reassignment by a supplier.

(5) *Reassignment established by court order.* The Medicare program may make payment in accordance with a reassignment established by or pursuant to the order of a court of competent jurisdiction. The reassignment must satisfy the conditions in § 405.1682.

(6) *Payment to an agent.* The Medicare program may pay, in the name of the supplier or other party entitled to payment under paragraphs (d) (1), (2), or (3) of this section, an agent who furnishes billing or collection services if the following conditions are met:

(i) The agent receives the payment under an agency agreement with the supplier or other party;

(ii) The agent's compensation is not related in any way to the dollar amounts billed or collected;

(iii) The agent's compensation is not dependent on the actual collection of payment;

(iv) The agent acts under payment disposition instructions that the supplier or other party may modify or revoke at any time; and

(v) The agent, in receiving the payment, acts only on behalf of the supplier or other party.

6. A new § 405.1681 is added to read as follows:

§ 405.1681 Revocation of right to receive assigned benefits.

(a) *Scope.* This section sets forth the requirements and procedures for revocation of the right of a supplier or other party to receive payment under Medicare if the supplier or other party:

(1) Violates the prohibition of the reassignment or other transfer of claims as specified in § 1842(b)(5) of the Social Security Act and § 405.1680 of this part; or

(2) Violates the undertakings required for payment under §§ 405.1675 and 405.1684 of this part.

(b) *Definitions.* For purposes of this section:

(1) "Supplier" means a supplier as defined in § 405.1680(b).

(2) "Other party" means an employer, facility, or organization entitled to payment under § 405.1680(d) (1), (2) or (3).

(c) *Bases for revocation.* The Health Care Financing Administration (HCFA) may revoke the right of a supplier or other party to receive payment under §§ 405.1675 and 405.1684 of this part for the following reasons:

(1) A violation of the requirements for payment of Medicare benefits under § 405.1675 or § 405.1684, after HCFA or the carrier for the supplier or other party

gives it instructions against such violation; or

(2) The failure of a supplier or other party to desist from collection efforts already begun, or to refund moneys incorrectly collected, in violation of the requirements of § 405.1675 or § 405.1684, after HCFA or the carrier for the supplier or other party gives it instructions to cease or take such actions; or

(3) The execution or continuance of a reassignment or power of attorney, or the entry into or continuance of any other arrangement, that authorizes or permits payment contrary to the provisions of § 405.1680 and contrary to prior instructions by HCFA or the carrier for the supplier or other party; or

(4) The failure to furnish, upon request by HCFA for the carrier for the supplier or other party, evidence HCFA or the carrier needs to establish compliance with the requirements of § 405.1680.

(d) *Notice of proposed revocation.* If HCFA proposes to revoke the right of supplier or other party to receive payment under paragraph (c) of this section, it shall send written notice of the proposed revocation to the supplier or other party. The notice shall:

(1) State the reasons for the proposed revocation; and

(2) Inform the supplier or other party that, within 15 days of the date on the notice, it may submit a statement, including any pertinent evidence, explaining why its right to receive payment should not be revoked.

(e) *Reduction or extension of period for responding to proposed revocation.* HCFA may reduce or extend the time within which the statement provided for in paragraph (d)(2) of this section may be submitted.

(f) *Determination of revocation.* HCFA shall determine whether a supplier's or other party's right to receive benefit payments will be revoked:

(1) After the supplier or other party submits the statement as provided for in paragraph (d)(2) of this section; or

(2) If no statement is submitted, after 15 days (or other period determined under paragraph (e) of this section) from the date on the notice of proposed revocation.

(g) *Notice of revocation.* If HCFA determines that revocation is proper, it shall send notice of the revocation specifying:

(1) That the revocation is effective as of the date on the notice;

(2) The reasons for the revocation;

(3) The right of the supplier or other party to submit, within 60 calendar days from the date on the notice a written request for an administrative hearing, at

which the supplier or other party may present any pertinent evidence explaining why the supplier's or other party's right to receive payment should not have been revoked;

(4) The right of the supplier or other party to be represented by counsel or other qualified representative (see §§ 405.870 through 405.872);

(5) That the carrier will withhold payments on any claims submitted by the supplier or other party until the official who conducts the administrative hearing determines whether the supplier's or other party's right to payment should have been revoked or until the period for requesting a hearing has expired without such a request having been filed;

(6) That if the official who conducts the hearing reverses the determination of revocation, the carrier will make payment on the supplier's or other party's claims; and

(7) That if the hearing official upholds the determination of revocation or the period for requesting a hearing expires without such request having been filed, the carrier will pay benefits otherwise payable to the supplier or other party on claims for which the revocation is effective to the individual who received the services, or to another person or agency authorized under the law and regulations to receive payment.

(h) *Extension of period for requesting hearing.* HCFA may extend the period for filing a request for hearing.

(i) *Conduct of hearing.* The administrative hearing will be conducted before an official designated by HCFA who has not had any involvement in the determination of revocation. The official shall conduct the hearing and render a determination in accordance with the review and hearing procedures set forth in §§ 405.824 through 405.832(a), (b), (c), and (e), § 405.833, and §§ 405.860 through 405.872. For this purpose, "carrier" should be read as "Health Care Financing Administration" and "hearing officer" should be read as "hearing official" in those sections.

(j) *Hearing official's determination.*

(1) *Issuance of determination.* As soon as practicable after the close of the hearing, the official who conducted it shall issue a determination that—

(i) Is based on all the evidence presented at the hearing and included in the hearing record; and

(ii) Contains findings of fact and a statement of reasons.

(2) *Notification of supplier.* HCFA will mail a copy of the determination to the supplier or other party.

(k) *Finality of the determination—(1) Determination on hearing.* In those

cases in which a hearing is conducted, the hearing official's determination specified in paragraph (j) of this section shall constitute HCFA's final determination.

(2) *Determination without hearing.* In those cases in which a hearing is not requested by the supplier or other party within the period allowed, the determination of revocation by HCFA shall be the final determination.

(3) *Application of final determination.*

(i) If the final determination is that the right to receive payment will not be revoked, that decision shall be binding for those alleged actions and failures to act by the supplier or other party that constituted the basis for the determination of revocation.

(ii) If the final determination is that the right to receive payment will be revoked, the revocation shall remain in effect until HCFA finds that the reason for the revocation has been removed and that there is reasonable assurance that it will not recur.

(l) *Effect of revocation when supplier or other party has a financial interest in another entity.* If a supplier's or other party's right to accept assignment is revoked, that revocation will also apply to any corporation, partnership or other entity in which the supplier or other party directly or indirectly has or obtains all or all but a nominal part of the financial interest.

7. A new § 405.1682 is added to read as follows:

§ 405.1682 Conditions court-ordered assignments and reassignments must meet to be excepted from basic prohibition.

(a) *Definitions.* For purposes of this section, "court of competent jurisdiction" means a court that has jurisdiction over the subject matter and the parties before it.

(b) *General conditions.* An assignment or reassignment established by or pursuant to the order of a court of competent jurisdiction will be effective against the Medicare program only if the following conditions are met:

(1) A certified copy of the court order and of the executed assignment or reassignment, if one was required to be executed, has been filed with the intermediary or carrier that has responsibility to process the claim or, if HCFA has that responsibility, with HCFA; and

(2) The assignment or reassignment either—(i) Applies to all Medicare benefits payable for a specified or indefinite period; or

(ii) Specifies an amount of benefits payable by a particular intermediary or carrier.

(c) *Authority of intermediaries to reduce interim payments.* A court-ordered assignment does not affect the authority of a provider's carrier, intermediary, or HCFA, if HCFA has the responsibility to process the claim, to reduce interim payments, as provided in § 405.454(k), if the provider or the court-ordered assignee is in imminent danger of insolvency or bankruptcy.

(d) *Liability of the parties.* The party who receives payment under an assignment or reassignment established by or pursuant to the order of a court of competent jurisdiction and the party who would have received payment if the court order had not been issued incur joint and several liability for any Medicare overpayment that may be made to the former.

(Secs. 1102, 1814, 1815, 1835, 1842, 1870, and 1871 of the Social Security Act; 42 U.S.C. 1302, 1395f, 1395g, 1395n, 1395u, 1395gg, and 1395hh.)

(Catalog of Federal Domestic Assistance Program No. 13.773, Medicare-Hospital Insurance; No. 13.774, Medicare-Supplementary Medical Insurance.)

Dated: January 6, 1980.

Leonard D. Schaeffer,
Administrator, Health Care Financing
Administration.

Approved: April 8, 1980.

Patricia Roberts Harris,
Secretary.

[FR Doc. 80-11675 Filed 4-18-80; 8:45 am]

BILLING CODE 4110-35-M

Office of the Assistant Secretary for Education

45 CFR Part 1501

Fund for the Improvement of Postsecondary Education

AGENCY: Office of the Assistant Secretary for Education, DHEW.

ACTION: Final rule.

SUMMARY: The Acting Assistant Secretary for Education issues final regulations revising several sections of the Fund for the Improvement of Postsecondary Education regulations. The regulations are revised to establish priority areas. The regulations also provide for targeted competitions which allow a variety of funding mechanisms. The regulations provide better guidance to prospective applicants and greater flexibility in conducting funding competitions.

EFFECTIVE DATE: These regulations are expected to take effect 45 days after they are transmitted to Congress. Regulations are transmitted to Congress several days after they are published in

the Federal Register. The effective date is changed by statute if Congress disapproves the regulations or takes certain adjournments. If you wish to know the effective dates of these regulations, call or write the Fund for the Improvement of Postsecondary Education contact person.

FOR FURTHER INFORMATION CONTACT:

Russell Y. Garth, FIPSE, Room 3123, 400 Maryland Avenue, SW., Washington, D.C. 20202. Telephone: (202) 245-8091.

SUPPLEMENTARY INFORMATION: The final regulations differ from the Notice of Proposed Rulemaking in several respects. Section 1501.9 has been revised to make it clear that the targeted competitions device is intended to be a versatile means for the Fund to use to improve postsecondary education. The new § 1501.9(d) (dissemination competition) is an example of the flexibility offered by the targeted competitions approach. The Fund has determined that supplemental grants to selected grantees in the final year of funding offer a unique opportunity to advance the Fund's objectives by increasing public knowledge of the newest and most significant developments in postsecondary education.

In addition, several technical changes in language have been made for reasons of clarity, structure, and changes in the Fund's legislation.

The Assistant Secretary for Education published a Notice of Proposed Rulemaking (NPRM) in the Federal Register on November 6, 1979 (44 FR 64097). Interested persons were given 45 days to comment on these proposed regulations. During this period, four comments were received. The paragraphs below summarize those comments and the Assistant Secretary's responses to them.

Comment. Three of the comments strongly supported the proposed revisions.

Response. No change is made.

Comment. One comment observed that funding should be available for institutions serving the needs of adults, particularly in urban areas.

Response. No change is made. At least four of these new program objectives relate directly to that concern. Funding for such projects is therefore anticipated under those objectives.

(Catalog of Federal Domestic Assistance No. 13.925, Fund for the Improvement of Postsecondary Education)

Dated: January 28, 1980.

Peter D. Relic,
Acting Assistant Secretary for Education.

Approved: April 9, 1980.

Patricia Roberts Harris,
Secretary for Health, Education, and Welfare.

Part 1501 of the Title 45 of the Code of Federal Regulations is revised as follows:

The title of Part 1501 is revised to read as follows:

PART 1501—FUND FOR THE IMPROVEMENT OF POSTSECONDARY EDUCATION

Section 1501.6 is revised to read as follows:

§ 1501.6 Program categories.

The Fund accepts applications for assistance in two program competition categories:

- (a) A comprehensive program competition, under which preapplications are required for preliminary screening of applicants; and
- (b) Targeted competitions, which are announced by the Fund each fiscal year in the Federal Register.

(20 U.S.C. 1221d)

Section 1501.8 is revised to read as follows:

§ 1501.8 Comprehensive Program objectives.

(a) The Comprehensive Program supports a wide range of projects which seek to improve postsecondary educational opportunities. Under this program, the Fund particularly seeks preapplications and applications which address one or more of the following objectives:

- (1) Increased availability of high quality programs for all postsecondary students: Developing educational programs and services which allow currently enrolled students from groups which previously have been excluded from postsecondary educational participation to complete their educational goals;
- (2) Expansion of professional education and employment for women and minorities: Increasing access to postsecondary educational institutions at the graduate level and increasing employment opportunities within postsecondary educational institutions for these populations;
- (3) Expanding learning opportunities for the full-time worker: Developing new educational programs and services for workers;
- (4) Increased use of active modes of learning: Using educational processes such as internships, self-directed

learning, group learning, and interactive electronic technologies, which allow learners to take greater responsibility for their own learning;

- (5) Greater focus on knowledge and abilities: Developing new or redefined curricular content and educational subject matter; and
- (6) Improved leadership for new educational circumstances: Encouraging efforts to renew and implement the educational missions of individual institutions or systems of institutions and to improve the management of postsecondary educational institutions.

(b) Preapplications and applications which do not focus on the objectives set forth in paragraph (a) of this section are also eligible for support under the Comprehensive Program if they address significant problems in postsecondary education.

(20 U.S.C. 1221d)

Section 1501.9 is added to read as follows:

§ 1501.9 Targeted competitions.

The Fund may also conduct one or more targeted competitions. A targeted competition may focus on one or several problems or improvement approaches in postsecondary education. The targeted competitions may include, for example:

§ 1501.9 Targeted competitions.

(a) Special Focus competitions, in which the Fund supports projects addressing a particular problem area;

(b) National Project competitions, in which the Fund supports a number of projects addressing a particular problem area and, in some cases, using similar approaches. Recipients must collaborate with other National Project recipients to disseminate results;

(c) Network competitions, in which the Fund supports projects that bring together practitioners in a specific area of concern in a continuing association to improve practice in that area; or

(d) Dissemination competitions, in which the Fund supports efforts by grantees to disseminate project ideas and results. Applicants in these competitions are limited to grantees whose projects are in the final year of funding.

(20 U.S.C. 1221d)

§ 1501.10 [Amended]

The introductory language of § 1501.10(d) is revised to read as follows:

* * * * *

(d) Except as provided in paragraph (f) of this section, an application submitted under the Comprehensive Program must contain the following

information, in the format to be selected by the applicant:

[FR Doc. 80-12126 Filed 4-18-80; 8:45 am]
BILLING CODE 4110-02-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[Docket No. BC 78-264; RM 3121; RM-3267; RM-3268; RM-3269]

Radio Broadcast Services; FM Broadcast Assignment to Carthage and Whitehouse, Tex.

AGENCY: Federal Communications Commission.

ACTION: Report and order (final rule).

SUMMARY: This action assigns Channel 257A at Whitehouse, Texas, in response to a request by Smith County Broadcasters. Also, Channel 255 is assigned to Carthage, Texas, pursuant to a request by Bev E. Brown. Both assignments would provide a first fulltime local service. Conflicting requests for the assignment of Channel 257A at either Tyler, Texas, or Gladewater, Texas, have been denied.

EFFECTIVE DATE: May 23, 1980.

ADDRESS: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION:

Adopted: April 2, 1980.

Released: April 11, 1980.

By the Chief, Policy and Rules Division:

In the Matter of Amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations. (Whitehouse, Tyler, Carthage,¹ and Gladewater,¹ Texas); BC Docket No. 78-264; RM-3121; RM-3267; ² RM-3268; ³ RM-3269 ³ Report and Order (Proceeding Terminated).

1. The Commission has before it the *Notice of Proposed Rulemaking* 43 FR 38058, released August 21, 1978, proposing to assign Channel 257A to Tyler, Texas, as its fourth FM assignment. Comments in support were filed by Glenn and Virginia Hine ("Hines"), residents of Tyler. Counterproposals were accepted from (1) Tyler Broadcasting Company ("Tyler B/C"), licensee of Stations KZEY (AM) and KROZ (FM), Tyler, and Orman L. Kimsbrough d/b/a Gemini Enterprises ("Gemini"), licensee of Station KEES

(AM), Gladewater, Texas, suggesting that Channel 257A be assigned to Gladewater instead (RM-3268)³; (2) Bev E. Brown ("Brown"), licensee of Station KGAS (AM), Carthage, Texas, requesting the assignment of Channel 255 to Carthage (RM-3269)⁴ and (3) Smith County Broadcasters ("Smith County"), licensee of Station WTBB (AM), Tyler and the original petitioners in this proceeding, have proposed, as they did in their original petition, that Channel 257A be assigned to Whitehouse, Texas (RM-3267). Reply comments were submitted by Hines and jointly by Smith County and Brown.⁵

2. The *Notice* proposed to assign Channel 257A to Tyler despite the fact that Smith County had requested its assignment to Whitehouse as a first local service there. The Commission decided that due to Whitehouse's proximity to Tyler (14 kilometers (9 miles)), its suburban character and the availability of its use at Whitehouse under the Commission's 10-mile rule, § 73.203(b), its allocation to Tyler would be preferable. However, the Commission recognized that a Tyler assignment might not be possible because spacing requirements may not permit the provision of a city grade signal to all of Tyler. Information on this matter was requested. In addition, the availability of alternate channels to precluded communities was to be documented.

3. Whitehouse (pop. 1,245)⁶, in Smith County (pop. 97,096), is located approximately 14 kilometers (9 miles) south of Tyler, Texas.

4. Tyler (pop. 57,770), seat of Smith County (pop. 97,096), is located approximately 150 kilometers (92 miles) southeast of Dallas, Texas. It has 4 AM and 3 FM stations in operation.

5. Gladewater (pop. 5,574) is located in Gregg (75,929) and Upshur (20,976) Counties, approximately 40 kilometers (25 miles) northeast of Tyler. It is provided local service by AM Station KEES (fulltime authorized).

³ Gladewater and Tyler are 40 kilometers (25 miles) apart. The required spacing for Class A co-channels is 104 kilometers (65 miles).

⁴ Brown previously requested in the alternative that Channel 257A be assigned to Carthage. However, since that proposal conflicted with proposals for the same assignment at Whitehouse and at Gladewater, Texas, only the Channel 255 proposal has been pursued. Channel 255 would conflict only with the Gladewater proposal in that the communities are 70 kilometers (40 miles) apart and the required spacing is 104 kilometers (65 miles).

⁵ Hines' reply was filed one day late. However, we have accepted the pleading for consideration since we do not believe any prejudice will result therefrom.

⁶ Population figures are taken from the 1970 U.S. Census.

6. Carthage (pop. 5,392) is the seat of Panola County (pop. 15,894), approximately 90 kilometers (55 miles) east southeast of Tyler. It has one local radio station (KGAS (AM)) daytime-only.

7. Hines, while stating that there is a need for another Tyler station and that they would apply if the Commission's proposal were adopted failed to provide data which would indicate that the required signal strength could be provided to Tyler.

8. In opposition to the Tyler proposal, Tyler B/C argued that no showing of need for an additional Tyler station has been demonstrated. The city of Tyler is said to have seven radio stations already and the proposed assignment would offer no new service to unserved or underserved areas. On the other hand, the proposed Tyler assignment would preclude the assignment of a first FM channel to Gladewater where Tyler B/C urges that Channel 257A be allotted. We are told that no other FM channel is available for assignment there and the assignment would provide for a first fulltime local service.⁷ Gladewater is described as a growing community (1978 estimated pop. 7,000) that serves as a transportation center, including train, bus, and airplane travel. Industries consist of clothing, small machinery, recreational equipment, oil and cattle farming. A local newspaper publishes twice weekly. Tyler B/C has also attached supporting letters from community leaders. Gemini agrees that Gladewater is more deserving of the Channel 257A assignment than Tyler which it describes as adequately served and states it also would apply for a Gladewater FM station if the assignment is granted.

9. Smith County, the original proponent for a Whitehouse assignment offered a showing that purports to show there is no available site meeting the spacing requirements which would provide a city-grade signal over all of Tyler. For that reason it again urged that Channel 257A be assigned to Whitehouse. In this regard, Smith County provides indications of community growth such as building permits, bank deposits and school enrollments. In addition, a short history of the community and its influence in the subject area is discussed. Smith County argues that Whitehouse's proximity to Tyler should not, in itself, serve as an obstacle because Whitehouse is an independent community from Tyler and has separate

¹ These communities have been added to the caption.

² These petitions have been added to the caption.

⁷ Since that pleading was filed, Gladewater's AM station (KEES) has been granted authority to operate at night.

needs.⁸ As to the availability of alternate channels to precluded communities, we are told that Channel 272A could be assigned to either Troup or Overton, Texas. However, our staff could not confirm this assertion. No alternate channel is said to be available at Big Sandy, Texas. As for Gladewater, it avers that site selection is limited, unsuitable near the Gladewater airport and subject to undesirable terrain features. Nevertheless, we are asked to ignore preclusion as a factor because the request is for a first broadcast outlet.⁹ However, our policy with regard to preclusion clearly states that suburban communities are treated differently than more isolated communities for a proposed assignment's preclusive impact¹⁰ and preclusion is a factor we take into account in comparing mutually exclusive proposals.

10. Brown urges that Channel 255 be assigned to Carthage. He has, in combination with Smith County, proposed a plan whereby both Whitehouse and Carthage could each receive a first fulltime local aural service albeit at the expense of Gladewater. In support, Brown/Smith County state that Carthage itself is of equal population with Gladewater, but whereas Carthage has daytime-only AM service, Gladewater has fulltime local service authorized. Although a Class C channel is not generally assigned to communities the size of Carthage, no other channels are said to be available for assignment. The Gladewater conflict cannot be avoided if Carthage is to be assigned a channel. Brown asserts that Carthage is an isolated community (the closest larger city is Marshall, Texas, approximately 40 kilometers (25 miles) away).

11. In its reply comments, Hines attempted to demonstrate that a Tyler assignment is feasible at a site east of the city. However, we consider the showing marginal in that the small open area indicated is bounded by a 104.5 mile spacing arc and a 8.25 mile signal contour. The curves we use to measure the predicted field intensity of a signal (§§ 73.211(b), 73.313 (a)-(e), 73.314, 73.315(a) and 73.333 of the Commission's rules) provides 8 miles for a Class A station. It would be necessary for a proponent to take actual measurements to overcome this presumption. Without this information it cannot be concluded that the required signal strength would

be provided to Tyler. Certainly, under the Commission's priorities, a first local service at Whitehouse would be favored over a 4th FM and 8th local station at Tyler. Although we expressed some doubt as to Whitehouse's need for an FM station in the *Notice*, we now find that sufficient information has been provided to justify a Whitehouse assignment and that to use the 10-mile rule to accomplish this service would offer no benefit.

12. We are therefore left with conflicting requests for Channel 257A at Gladewater (Tyler B/C/Gemini) or for both Whitehouse and Carthage (Ch. 255) (Smith County/Brown) with site restrictions. In a non-comparative case, the requested Gladewater assignment would have merit. However, when compared, Gladewater has fulltime service authorized while Carthage has only daytime local service and Whitehouse has none. Furthermore, the provision of two services at two communities (Whitehouse and Carthage) is to be favored over the single FM service to be provided at Gladewater. Preclusion would not be significantly greater for the Whitehouse assignment than for the Gladewater proposal. Therefore, we find that the Whitehouse and Carthage proposals should be adopted. A site restriction will be necessary at Carthage of approximately 22.5 kilometers (14 miles) east.

13. Accordingly, it is ordered, That effective May 23, 1980, the FM Table of Assignments, § 73.202(b) of the Commission's Rules, is amended with respect to the communities listed below:

City	Channel No.
Carthage, Texas.....	255
Whitehouse, Texas.....	257A

14. Authority for the action taken herein is contained in Sections 4(i), 5(d)(1), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Section 0.261 of the Commission's Rules.

15. It is further ordered, That this proceeding is terminated.

16. For further information concerning this proceeding, contact Mark N. Lipp, Broadcast Bureau, (202) 632-7792.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082; 47 U.S.C. 154, 155, 303.)

Federal Communications Commission.

Henry L. Baumann,

Chief, Policy and Rules Division, Broadcast Bureau.

[FR Doc. 80-12107 Filed 4-18-80; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Part 215

[Docket Number RSFC-6, Notice 3]

Railroad Freight Car Safety Standards

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Final rule.

SUMMARY: This document amends the final rule published on December 31, 1979 (44 FR 77328), which revised the Railroad Freight Car Safety Standards (49 CFR Part 215).

The amendments relate to pre-departure inspections; defective cars received in interchange; defective roller bearing; stenciling of maintenance-of-way equipment; and door safety hangers. This action is taken by FRA in response to two petitions for reconsideration of the final rule.

EFFECTIVE DATE: This amendment becomes effective on June 1, 1980. However, prior compliance is authorized and encouraged.

FOR FURTHER INFORMATION CONTACT: Principal Program Person: Rolf Mowatt-Larssen, Office of Safety, Federal Railroad Administration, Room 7315, 400 Seventh Street SW., Washington, DC 20590, phone 202-426-0924.

Principal Attorney: Edward F. Conway, Jr., Office of Chief Counsel, Federal Railroad Administration, Room 8209, 400 Seventh Street SW., Washington, DC 20590, 202-426-8836.

SUPPLEMENTARY INFORMATION:

Background

Regulatory Reform

Pursuant to Executive Order 12044, FRA published a final rule revising the Freight Car Safety Standards on December 31, 1979 (44 FR 77323). After publication of the final rule, FRA received petitions for reconsideration from the Railway Labor Executives Association (RLEA) and the Association of American Railroads (AAR). This publication announces amendments to the final rule in response to the concerns expressed by petitioners.

The following is an explanation of the amendments made by FRA in response to those petitions. The sequence of changes discussed generally corresponds to the order in which they appear in the text of the final rule. However, pre-departure inspections and related issues are discussed first because they are of major concern to both petitioners.

⁸ Citing *Saegertown, Pa.*, Dkt. 20812, 41 FR 44414, 38 R.R. 2d 913 (1976).

⁹ Citing *Denair, Calif.*, Dkt. 21411, 43 FR 8805, 42 R.R. 2d 503 (1978).

¹⁰ See *Policy Statement to Govern Requests for Additional FM Assignments*, 8 F.C.C. 2d 79 (1967).

I. Pre-Departure Inspections and Related Issues. Both AAR and RLEA requested that FRA reconsider § 215.13 (pre-departure inspection) and § 215.11 (designation of qualified persons).

AAR suggested that the pre-departure inspection requirement be withdrawn. Alternatively, AAR requested that the rule be rewritten to reinstate the two-level inspection provisions of the former standards. Under former § 215.9(b), a railroad was permitted to move defective cars from locations where a designated inspector is not on duty if available personnel determine that the car is safe to move to the next location where a designated inspector is on duty.

RLEA's concern with § 215.13 focused on the qualifications that FRA should require for the person designated to conduct the pre-departure inspection. RLEA requested that the designated inspector have a level of training and experience equal to that of a journeyman carman.

Sections 215.13 and 215.11, as amended in this notice, prescribe a modified two-level inspection. A complete inspection for compliance with all provisions of the Freight Car Safety Standards will be required to be conducted by a designated inspector at locations where one is on duty to inspect freight cars. At other locations, a pre-departure inspection shall be made by available personnel for specific conditions listed as in Appendix D, that are imminently hazardous, i.e., likely to cause an accident or casualty before the train arrives at its destination. These conditions can be readily discovered by train crew members in the course of an ordinary inspection. However, neither inspection relieves the railroad of liability for failure to comply with all of the provisions of the Freight Car Safety Standards.

At locations where cars are inspected by someone who is not a designated inspector, the options for handling defective cars are limited to: (1) Setting the car out or (2) calling in a designated inspector to either repair the car or tag it for movement for repair in accord with § 215.9. An option no longer permitted is the movement of defective cars without bad order tags to a location where a designated inspector is on duty.

FRA believes that strict liability for defective cars coupled with the modified two-level inspection will enhance safety by providing the necessary incentive and flexibility for railroads to deploy their inspection and maintenance personnel to promptly discover and repair defective cars.

In response to RLEA's concern about the qualifications of persons who determine whether a defective car is

safe to move, FRA has amended § 215.11. While not adopting the "journeyman carman" suggestion, the amended section explicitly provides that determinations under § 215.9 (Movement for Repair) shall be made by a designated inspector having the qualifications prescribed in § 215.11 (Designated Inspectors).

Section 215.9 has been clarified by a new paragraph (d) that provides that the movement of defective cars for repair must be made in accord with restrictions imposed in a Special Notice for Repairs issued by an FRA or State inspector.

II. Other Issues. Defective Cars Received in Interchange: The AAR expressed concern that railroads would be held strictly liable for defects in cars received in interchange before they had an opportunity to inspect or otherwise to exercise any control over the cars. FRA has amended § 214.5(e)(4) to provide that a car that has been delivered in interchange is not "in service" until the receiving railroad accepts the car by moving it or otherwise exercising control over it. It should be noted, however, that the delivering railroad remains liable for each defective car it tenders in interchange.

Defective Roller Bearing

At issue in § 215.115 is the appropriate test for detecting defective roller bearings following a derailment. The position of AAR is that defects are more likely to be discovered by manual rotation of the roller bearing. FRA believes that the more effective method is to spin the wheel set, a technique employed by many railroads. Section § 215.115 has been amended to permit either method to be used. However, when a railroad opts to rotate the bearing manually, care must be exercised because the presence of lubricant and the fact that the bearing is not under load tend to reduce sounds made by small defects, whereas when the wheel set is rotated, the weight on the bearing magnifies these sounds.

Stenciling of Maintenance-of-Way Equipment

In response to the concern expressed in the AAR petition that the stenciling requirements in § 215.305 of the final rule might interfere with existing computer tracking systems, FRA has amended these requirements to provide that "MW" must be stenciled in letters at least 2 inches high at any location on each side of this equipment.

Door Safety Hangers

AAR requested a six year extension for compliance with § 215.121(d), which mandates that box car side doors be

equipped with safety hangers or the equivalent by September 1, 1980. FRA considers installation of safety hangers to be one of the most critical freight car safety requirements. Since 1974 there have been 7 fatalities directly attributable to box car door failure, 5 of which involved plug doors that did not have safety hangers. Accident reports for each fatality have been filed in the docket for this proceeding and are available for examination during regular business hours (9 a.m.-5 p.m.), in room 8211 Nassif Building, 400 Seventh Street, S.W., Washington, DC 20590.

FRA acknowledges that constraints of personnel and materials and design differences necessitate a limited extension of this deadline. According to the AAR, more than 100,000 plug door cars are not equipped with safety hangers. FRA has extended the deadline for completion of these modifications to July 1, 1982.

FRA, while granting the extension, reasserts its belief that the modifications are of utmost importance and should be expedited. Accordingly, petitions for further extensions beyond July 1, 1982, will not receive a favorable reception.

Both the AAR and RLEA petitions requested a number of other changes that were denied by FRA. Copies of these petitions together with the FRA letters of reply have been placed in the docket for this proceeding.

Impact Assessments

FRA has considered the economic, environmental, and small business impacts of this amendment to the Freight Car Safety Standards. This amendment has no discernable impact on the Regulatory Evaluation of the final rule published in the *Federal Register* (44 FR 77328). Since this amendment also meets the seven criteria that establish an action as a non-major action, it does not constitute a major action requiring an environmental assessment. Finally, FRA has determined that this amendment does not have any significant or special impact on small business.

In consideration of the foregoing, Part 215 of Title 49, Code of Federal Regulations, is amended, effective June 1, 1980, as set forth below:

Appendix D—[Added]

1. To the list of appendices at the beginning of the Part add:

Appendix D—Pre-departure inspection procedure

2. Paragraph (e) of § 215.5 is amended to read as follows:

§ 215.5 Definitions.

* * * * *

(e) "In service" when used in connection with a railroad freight car, means each railroad freight car subject to this part unless the car—

(1) Has a "bad order" or "home shop for repairs" tag or card containing the prescribed information attached to each side of the car and is being handled in accordance with § 215.9 of this part;

(2) Is in a repair shop or on a repair track;

(3) Is on a storage track and is empty;

or

(4) Has been delivered in interchange but has not been accepted by the receiving carrier.

* * * * *

3. Section 215.9 is amended by adding a new paragraph (d) that reads as follows:

§ 215.9 Movement of defective cars for repair.

* * * * *

(d) Nothing in this section authorizes the movement of a freight car subject to a Special Notice for Repairs unless the movement is made in accordance with the restrictions contained in the Special Notice.

4. Section 215.11 is amended to read as follows:

§ 215.11 Designated inspectors.

(a) Each railroad that operates railroad freight cars to which this part applies shall designate persons qualified to inspect railroad freight cars for compliance with this part and to make the determinations required by § 215.9 of this part.

(b) Each person designated under this section shall have demonstrated to the railroad a knowledge and ability to inspect railroad freight cars for compliance with the requirements of this part and to make the determinations required by § 215.9 of this part.

(c) With respect to designations under this section, each railroad shall maintain written records of—

- (1) Each designation in effect; and
- (2) The basis for each designation.

5. Section 215.13 is revised to read as follows:

§ 215.13 Pre-departure inspection.

(a) At each location where a freight car is placed in a train, the freight car shall be inspected before the train departs. This inspection may be made before or after the car is placed in the train.

(b) At a location where an inspector designated under § 215.11 is on duty for the purpose of inspecting freight cars, the inspection required by paragraph (a)

of this section shall be made by that inspector to determine whether the car is in compliance with this part.

(c) At a location where a person designated under § 215.11 is not on duty for the purpose of inspecting freight cars, the inspection required by paragraph (a) shall, as a minimum, be made for those conditions set forth in Appendix D to this part.

(d) Performance of the inspection prescribed by this section does not relieve a railroad of its liability under § 215.7 for failure to comply with any other provision of this part.

6. Paragraph (b)(1)(B) and (b)(2)(B) of § 215.115 are amended to read as follows:

§ 215.115 Defective roller bearing.

(b) * * *

(1) * * *

(A) * * *

(B) Spinning freely its wheel set or manually rotating the bearing to determine whether the bearing makes any unusual noise.

(2) * * *

(A) * * *

(B) It makes any unusual noise when its wheel set is spun freely or the bearing is manually rotated.

* * *

7. Paragraph (d) of § 215.121 is amended as follows:

§ 215.121 Defective car body.

* * *

(d) After July 1, 1982, the car is a box car and its side doors are not equipped with operative safety hangers, or the equivalent, to prevent the doors from becoming disengaged.

* * *

8. Paragraph (b) of § 215.305 is revised to read as follows:

§ 215.305 Stenciling of maintenance of-way equipment.

* * *

(b) The letters "MW" must be—

(1) at least 2 inches high; and

(2) placed on each side of the car.

9. To the appendices of Part 215, the following Appendix is added:

* * *

Appendix D—Pre-departure Inspection Procedure

At each location where a freight car is placed in a train and a person designated under § 215.11 is not on duty for the purpose of inspecting freight cars, the freight car shall, as a minimum, be inspected for the imminently hazardous conditions listed below that are likely to cause an accident or casualty before the train arrives at its destination. These conditions are readily

discoverable by a train crew member in the course of a customary inspection.

1. Car Body:

- (a) Leaning or listing to side.
- (b) Sagging downward.
- (c) Positioned improperly on truck.
- (d) Object dragging below.
- (e) Object extending from side.
- (f) Door insecurely attached.
- (g) Broken or missing safety appliance.
- (h) Lading leaking from a placarded hazardous material car.

2. Insecure coupling.
3. Overheated wheel or journal.
4. Broken or extensively cracked wheel.
5. Brake that fails to release.
6. Any other apparent safety hazard likely to cause an accident or casualty before the train arrives at its destination.

(Secs. 202 and 209, 84 Stat. 971 and 975, 45 U.S.C. 431 and 438; and Sec. 1.49(n) of the regulations of the Office of the Secretary of Transportation, 49 CFR 1.49(n).)

Issued in Washington, D.C. on April 15,

1980.

John M. Sullivan,

Administrator.

[FR Doc. 80-11986 Filed 4-15-80; 3:30 pm]

BILLING CODE 4910-06-M

Coast Guard

46 CFR Part 56

[CGD 79-083]

Tank Vent Piping for Great Lakes Vessels

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: This rule amends the regulations regarding tank vent piping for Great Lakes vessels by eliminating language contained in § 56.50-85 of Title 46 to conform with the provisions of § 45.133. This action eliminates a source of confusion and establishes a uniform requirement for tank vent piping on Great Lakes vessels.

EFFECTIVE DATE: The rule is effective on May 21, 1980.

FOR FURTHER INFORMATION CONTACT:

Mr. D. L. Ewing (202) 426-2187.

SUPPLEMENTARY INFORMATION:

On January 7, 1980, the Coast Guard published a proposed rule (45 FR 1431) concerning this amendment. The public was given until February 21, 1980, to submit comments. No comments were received and no public hearing was held. The proposed rule is therefore made final without change and without further discussion.

Drafting information: The principal persons involved in drafting this rule are Mr. D.L. Ewing, Project Manager, Office of Merchant Marine Safety, and Lieutenant Jack Orchard, Project Attorney, Office of the Chief Counsel.

Discussion

In consideration of the foregoing, Part 56 of Title 46 of the Code of Federal Regulations is amended by revising § 56.50-85(a)(5) to read as follows:

§ 56.50-85 Tank vent piping.

(a) * * *

(5) Vents from fuel oil and other tanks extending above the freeboard or superstructure deck shall be of substantial construction. Except for barges in inland service and on Great Lakes vessels, the height from the deck to any point where water may gain access below deck shall be at least 30 inches on the freeboard deck, and 18 inches on the superstructure deck. On Great Lakes vessels, the height from the deck to any point where water may gain access below deck, shall be at least 30 inches on the freeboard deck, 24 inches on the raised quarterdeck, and 12 inches above other superstructure decks. Where height of vent pipes on Great Lakes vessels may interfere with the working of the vessel a lower height may be approved provided the vent cap is properly protected. Barges in inland service need provide a height of not less than 6 inches. A lesser amount may be approved if evidence is provided to the Commandant that a particular vent has proven satisfactory in service.

* * *

(R.S. 4405, as amended (46 U.S.C. 375); R.S. 4417, as amended (46 U.S.C. 391); 49 Stat. 1889 as amended (46 U.S.C. 391a); R.S. 4462 as amended (46 U.S.C. 416).)

Dated: April 16, 1980.

W. D. Markle, Jr.,

Captain, U.S. Coast Guard, Acting Chief,
Office of Merchant Marine Safety.

[FR Doc. 80-12138 Filed 4-18-80; 8:45 am]

BILLING CODE 4910-14-M

COMMUNITY SERVICES ADMINISTRATION

45 CFR Part 1060

General Characteristics of Community Action Programs; Income Poverty Guidelines (Revised)

AGENCY: Community Services
Administration.

ACTION: Final rule.

SUMMARY: The Community Services Administration is revising its income poverty guidelines. The Economic Opportunity Act of 1964, as amended, requires yearly revisions of the poverty guidelines for use by every agency administering programs under the Act in which the poverty guidelines are used to judge eligibility for participating in programs. These annual revisions assure

that the income guidelines reflect the changes in the cost of living.

EFFECTIVE DATE: This rule is effective April 21, 1980.

FOR FURTHER INFORMATION CONTACT:

Ms. Mary R. Ellyn, Policy, Planning and Analysis Division, Community Services Administration, Office of Policy, Planning and Evaluation, 1200 19th Street, N.W., Washington, D.C. 20506, Telephone: (202) 632-6630, Teletypewriter: (202) 254-6218.

SUPPLEMENTARY INFORMATION: The Community Services Administration revision of the updated poverty guidelines constitutes compliance with the legislatively mandated requirement of Section 624 of the Economic Opportunity Act of 1964, as amended. This revision is not significant according to Executive Order 12044 since the only change being made reflects the changes in the Consumer Price Index and is required by the previously mentioned Section of the EOA. The text defining "Income" and "A Farm Residence" remains unchanged. The policy regarding use of these guidelines is also unchanged by this revision.

This amendment to § 1060.2 revises the guidelines previously published in §§ 1060.2-1 and 1060.2-2.

Authority: The provisions of this subpart are issued under Section 602, 78 Stat. 530, 42 U.S.C. 2942.

William W. Allison,
Acting Director.

45 CFR 1060.2-1 through 1060.2-2 is revised to read as follows:

§ 1060.2-1 Applicability.

This subpart applies to all grants financially assisted under Titles II, IV and VII of the Economic Opportunity Act of 1964, as amended, if such assist is administered by the Community Services Administration.

§ 1060.2-2 Policy.

(a) The attached income guidelines are to be used for all those CSA funded programs, whether administered by a grantee or delegate agency, which use CSA poverty income guidelines as admission standards. These guidelines do not supersede alternative standards of eligibility approved by CSA.

(b) The guidelines are also to be used in certain other instances where required by CSA as a definition of poverty, e.g., for purposes of data collection and for defining eligibility for allowances and reimbursements to board members. Agencies may wish to use these guidelines for other administrative and statistical purposes as appropriate.

(c) The attached guidelines are based upon Table 17 of the U.S. Bureau of the Census, *Current Population Reports*, Series P-60, No. 120, "Money Income and Poverty Status of Families and Persons in the United States: 1978" (Advance Report), U.S. Government Printing Office, Washington, D.C., November 1979; and Department of Labor Press Release USDL-80-46 of December 1979.

(d) The following definitions, from "Current Population Reports," P-60, No. 91, Bureau of the Census, December 1973 have been adopted by CSA for use with the attached poverty guidelines.

(1) *Income*. Refers to total cash receipts before taxes from all sources. These include money wages and salaries before any deductions, but not including food or rent in lieu of wages. They include receipts from self-employment or from own farm or business after deductions for business or farm expenses. They include regular payments from public assistance, social security, unemployment and workman's compensation, strike benefits from union funds, veteran's benefits, training stipends, alimony, child support and military family allotments or other regular support from an absent family member or someone not living in the household; government employee pensions, private pensions and regular insurance or annuity payments; and income from dividends, interest, rents, royalties or income from estates and trusts. For eligibility purposes, income does not refer to the following money receipts: any assets drawn down as withdrawals from a bank, sale of property, house or car, tax refunds, gifts, one-time insurance payments or compensation for injury; also to be disregarded is non-cash income, such as the bonus value of food and fuel produced and consumed on farms and the imputed value of rent from owner-occupied farm or non-farm housing.

(2) *A Farm Residence*. Is defined as any dwelling on a place of 10 acres or

more with \$50 or more annual sales of farm products raised there; or any place less than 10 acres having product sales of \$250 or more.

**Attachment.—1980 Community Services
Administration Poverty Income Guidelines for all
States Except Alaska and Hawaii**

Size of family unit	Nonfarm family	Farm family
1.....	\$3,790	\$3,250
2.....	5,010	4,280
3.....	6,230	5,310
4.....	7,450	6,340
5.....	8,670	7,370
6.....	9,890	8,400

For family units with more than 6 members, add \$1,220 for each additional member in a nonfarm family and \$1,030 for each additional member in a farm family.

Poverty Guidelines for Alaska

Size of family unit	Nonfarm family	Farm family
1.....	\$4,760	\$4,090
2.....	6,280	5,370
3.....	7,800	6,650
4.....	9,320	7,930
5.....	10,840	9,210
6.....	12,360	10,490

For family units with more than 6 members, add \$1,520 for each additional member in a nonfarm family and \$1,280 for each additional member in a farm family.

Poverty Guidelines for Hawaii

Size of family unit	Nonfarm family	Farm family
1.....	\$4,370	\$3,760
2.....	5,770	4,940
3.....	7,170	6,120
4.....	8,570	7,300
5.....	9,970	8,480
6.....	11,370	9,660

For family units with more than 6 members, add \$1,400 for each additional member in a nonfarm family and \$1,180 for each additional member in a farm family.

[FR Doc. 80-12324 Filed 4-18-80; 8:45 am]

BILLING CODE 6315-01-M

Proposed Rules

Federal Register

Vol. 45, No. 78

Monday, April 21, 1980

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

EXECUTIVE OFFICE OF THE PRESIDENT

Office of Administration

5 CFR Part 2502

Availability of Records—Freedom of Information Act; Proposed Regulations

AGENCY: Office of Administration, Executive Office of the President.

ACTION: Proposed rule.

SUMMARY: The following proposed regulations, drafted in accordance with the Freedom of Information Act, as amended, 5 U.S.C. 552, are hereby offered for public comment. These regulations establish the procedures by which records may be obtained from all organizational units within the Office of Administration.

DATE: Comments are due on or before May 21, 1980.

ADDRESS: Send comments to Sarah T. Kadec, Deputy Director, Office of Administration, 726 Jackson Place, NW., Washington, D.C. 20503.

FOR FURTHER INFORMATION CONTACT: Donald Street, Assistant to the Deputy Director, (202) 456-2970.

It is proposed to add the following Part 2502 to Title 5 of CFR.

Sarah T. Kadec,
Deputy Director.

CHAPTER XV—OFFICE OF ADMINISTRATION, Executive Office of the President

PART 2502—AVAILABILITY OF RECORDS

Subpart A—Production or Disclosure of Records Under the Freedom of Information Act, 5 U.S.C. 552

- Sec.
- 2502.1 Definitions.
 - 2502.2 Statutory requirements.
 - 2502.3 Purpose and scope.
 - 2502.4 Organization and Functions.
 - 2502.5 Public reference facilities and current index.

- Sec.
- 2502.6 Records of other agencies.
 - 2502.7 How to request records—Form and content.
 - 2502.8 Initial determination.
 - 2502.9 Prompt response.
 - 2502.10 Responses: Form and content.
 - 2502.11 Appeals to the Director from initial denials.
 - 2502.12 Maintenance of files.
 - 2502.13 Schedule of fees.
 - 2502.14 Waiver of fees.
 - 2502.15 Payment of fees.
 - 2502.16 Information to be disclosed.
 - 2502.17 Exemptions.
 - 2502.18 Deletion of exempted matters.
 - 2502.19 Annual report.

Subpart B—Production in Response to Subpoenas or Demands of Courts or Other Authorities

- 2502.30 Purpose and scope.
- 2502.31 Production prohibited unless approved by director.
- 2502.32 Procedure in the event of a demand for disclosure.
- 2502.33 Procedure in the event of an adverse ruling.

Authority: 5 U.S.C. 552, as amended by Pub. L. 93-502.

Subpart A—Production or Disclosure of Records Under the Freedom of Information Act, 5 U.S.C. 552

§ 2502.1 Definitions.

(a) "Office" means the Office of Administration, Executive Office of the President;

(b) "Agency" means agency as defined in 5 U.S.C. 552(e);

(c) "Workday" means those days when the Office is open for the conduct of government business, and does not include Saturdays, Sundays and legal public holidays;

(d) "FOIA" means Freedom of Information Act, 5 U.S.C. 552, as amended.

§ 2502.2 Statutory requirements.

5 U.S.C. 552(a)(3) requires each Agency, when it receives a request which reasonably describes the records sought and which is in accordance with the implementing regulations published by the Agency, to make the records promptly available. 5 U.S.C. 552(b) exempts specified classes of records from the public access requirements of 5 U.S.C. 552(a) and permits them to be withheld.

§ 2502.3 Purpose and scope.

This subpart contains the regulations of the Office of Administration, Executive Office of the President,

implementing 5 U.S.C. 552. The regulations of this subpart describe the procedures by which records may be obtained from all organizational units within the Office of Administration. Official records of the Office made available pursuant to the requirements of 5 U.S.C. 552 shall be furnished to members of the public only as prescribed by this subpart. To the extent that it is not prohibited by other laws the Office also will make available records which it is authorized to withhold under 5 U.S.C. 552 whenever it determines that such disclosure is in the public interest.

§ 2502.4 Organization and Functions.

The Office of Administration was created by Reorganization Plan No. 1 of 1977 and Executive Order 12028. Its primary function is to provide common administrative and support services for the various Agencies of the Executive Office of the President. It consists of:

(a) The Office of the Director, which includes the Director and the Deputy Director and their principal assistants, including the Assistant for Audit and Assessment;

(b) Six Assistant Directors and their staffs, who are responsible for the following Divisions:

- (1) Administrative Services
- (2) Computer Facilities Management
- (3) Financial Management
- (4) Information Management and Services
- (5) Information Systems Development
- (6) Personnel Management

The Office has no field organization. Offices of the Office of Administration are presently located in the Executive Office Building, 17th & Pennsylvania Ave., NW., and in the New Executive Office Building, 726 Jackson Place, NW., Washington, D.C. 20503. Regular Office hours are from 9:00 a.m. to 5:30 p.m., Monday through Friday. Both buildings are under security control. Persons desiring access are encouraged to make advance arrangements for an appointment.

§ 2502.5 Public reference facilities and current index.

(a) The Office of Administration will maintain in a public reading area located in the Executive Office of the President Information Center, Room G-102, New Executive Office Building, 726 Jackson Place, NW, Washington D.C., and make available for public inspection

and copying a current index providing identifying information for the public as to any matter which is issued, adopted, or promulgated after July 4, 1967, and which is required to be indexed by 5 U.S.C. 552(a)(2). The Office will also maintain on file in this public reading area all material published by the Office of Administration in the Federal Register and currently in effect.

§ 2502.6 Records of other agencies.

Requests for records that originated in another Agency and are in the custody of Office of Administration, will be referred to that Agency for processing, and the person submitting the request shall be so notified. The decision made by that Agency with respect to such records will be honored by the Office of Administration.

§ 2502.7 How to request records—Form and content.

(a) A request made under the Freedom of Information Act must be submitted in writing, addressed to:

Deputy Director, Office of Administration,
726 Jackson Place, NW., Washington, D.C.
20503.

The words "FOIA REQUEST" should be clearly marked on both the letter and the envelope. Due to security measures in force at the Old and New Executive Office Buildings, requests made in person can only be accepted from current employees of the Executive Office of the President, who have the appropriate security clearances.

(b) Any Office employee or official who receives a FOIA Request shall promptly forward it to the Deputy Director. Any Office employee or official who receives an oral request made under the FOIA, shall inform the person making the request to the provisions of this subpart.

(c) Each request must reasonably described the record(s) sought, including, when known: Agency/individual originating the record, date, subject matter, type of document, location, and any other pertinent information which would assist in promptly locating the record(s).

(d) When a request is not considered reasonably descriptive, or requires the production of voluminous records, or places an extraordinary burden on the Office of Administration, seriously interfering with its normal functioning to the detriment of the business of the government, the Office may require the person making the request, or such person's agent, to confer with an Office representative in order to attempt to verify, and, if possible, narrow the scope of the request.

§ 2502.8 Initial determination.

The Deputy Director shall have the authority to approve or deny requests received pursuant to these regulations. The decision of the Deputy Director shall be final, subject only to administrative review as provided in § 2502.11.

§ 2502.9 Prompt response.

(a) The Deputy Director shall either approve or deny a request for records within 10 working days after receipt of the request unless additional time is required for one of the following reasons:

(1) It is necessary to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request; or

(2) It is necessary to consult with another agency having a substantial interest in the determination of the request or among two or more components of the agency having substantial subject matter interest therein.

(b) When additional time is required for one of the reasons stated in paragraph (a) of this section, the Deputy Director or his designee shall acknowledge receipt of the request within the 10 workday period and include a brief explanation of the reason for the delay, indicating the date by which a determination will be forthcoming. An extended deadline adopted for one of the reasons set forth above may not exceed 10 additional workdays.

§ 2502.10 Responses—Form and content.

(a) When a request record has been identified and is available, the Deputy Director shall notify the person making the request as to where and when the record is available for inspection or the copies will be available. The notification shall also advise the person making the request of any assessed fees under § 2502.13 hereof.

(b) A denial of a request for a record shall be in writing signed by the Deputy Director and shall include:

(1) The name and title of the person making the determination;

(2) A reference to the specific exemption under the Freedom of Information Act authorizing the withholding of the record, and a brief explanation of how the exemption applies to the record withheld; or

(3) A statement that, after diligent effort, the requested records have not been found or have not been adequately examined during the time allowed by § 2502.9, and that the denial will be

reconsidered as soon as the search or examination is complete;

(4) A statement that the denial may be appealed to the Director within 30 days of receipt of the denial or partial denial.

If a requested record cannot be located from the information supplied, or is known to have been destroyed or otherwise disposed of, the person making the request shall be so notified and the legal authority for disposition shall be cited.

§ 2502.11 Appeals to the director from initial denials.

(a) When the Deputy Director has denied a request for records in whole or in part, the person making the request may, within 30 days of its receipt, appeal the denial to the Director. The appeal must be in writing, addressed to the Director, and clearly labeled as a "Freedom of Information Act Appeal".

(b) The Director will act upon the appeal within 20 workdays of its receipt. The Director may extend the 20 day period of time by any number of workdays which could have been claimed and consumed by the Deputy Director under § 2502.9 but which were not claimed and consumed in making the initial determination. The Office of Administration's action on an appeal shall be in writing, signed by the Director of the Office.

(c) If the decision is in favor of the person making the request, the Director shall order records promptly made available to the person making the request.

(d) A denial in whole or in part of a request on appeal shall set forth the exemption relied on and a brief explanation of how the exemption applied to the records withheld and the reasons for asserting it, if different from that described by the Deputy Director under § 2502.10. The denial shall state that the person making the request may, if dissatisfied with the decision on appeal, file a civil action in the district in which the person resides or has his principal place of business, in the district where the records are located, or in the District of Columbia.

(e) No personal appearance, oral argument or hearing will ordinarily be permitted in connection with an appeal to the Office of Administration.

(f) On appeal, the Office may reduce any fees previously assessed.

§ 2502.12 Maintenance of files.

(a) The Deputy Director shall maintain files, containing all materials required to be retained by or furnished to him under this subpart. The material shall be filed by individual request, indexed according to the exemptions asserted, and, to the

extent feasible indexed according to the type of records requested.

(b) The Deputy Director shall also maintain a file open to the public, which shall contain copies of all grants or denials of appeals by the Office of Administration. The materials shall be indexed as stated in paragraph (a) of this section.

§ 2502.13 Schedule of fees.

(a) Except as otherwise provided, the following specific fees shall be applicable with respect to services rendered to members of the public under this subpart:

(1) *Search for Records.* Five dollars per hour when the search is conducted by a clerical employee. Ten dollars per hour when the search is conducted by a professional employee. There will be no charges for searches of less than one hour.

(2) *Duplication of Records.* Records will be duplicated at a rate of \$0.10 per page for copying 4 pages or more. There will be no charges for duplicating 3 pages or less.

(3) *Other.* When no specific fee has been established for a service, the Deputy Director is authorized to establish an appropriate fee based on "direct costs" as provided in the Freedom of Information Act. Examples of services covered by this provision include searches involving computer time or special travel, transportation, or communication costs.

(b) If the Office anticipates that the fees chargeable under this section will amount to more than \$30, or the maximum amount specified in your request, you shall be promptly notified of the estimated amount of the fee, before costs have been incurred. In such instances you will be advised of your option to consult with Office personnel in order to reformulate the request in a manner which will reduce the fees, yet still meet your needs. A reformulated request shall be considered a new request, thus beginning a new 10 workday period for processing.

§ 2502.14 Waiver of fees.

The Deputy Director shall assess fees for the search and, if necessary, duplication of records requested. The Deputy Director shall also have authority to furnish records without charge, or at a reduced charge, where he determines that waiver or reduction of the fee is in the public interest.

§ 2502.15 Payment of fees.

(a) Fees must be paid in full prior to issuance of the requested copies. In the

event you owe money for a previous request, copies of records will not be provided for any subsequent request until the debt has been paid in full. Fees for search time must be paid before records are made available.

(b) Search costs are due and payable even if the record which was requested cannot be located after all reasonable efforts have been made.

(c) Payment of fees shall be in the form either of a personal check or bank draft drawn on a bank in the United States, or a postal money order. Remittances shall be made payable to the order of the Treasury of the United States and mailed or delivered to the Deputy Director, Office of Administration, 726 Jackson Place, NW., Washington, D.C. 20503.

§ 2502.16 Information to be disclosed.

In general, all records by the Office of Administration are available to the public, as required by the Freedom of Information Act. However, the Office claims the right, where it is applicable, to withhold material under the provisions specified in the Freedom of Information Act as amended (5 U.S.C. 552(b)).

§ 2502.17 Exemptions.

(a) 5 U.S.C. 552 exempts from all of its publication and disclosure requirements nine categories of records which are described in 552(b). These categories include such matters as national defense and foreign policy information, investigatory files, internal procedures and communications, materials exempted from disclosure by other statutes, information given in confidence and matters involving personal privacy.

(b) Executive Order 12028 (December 4, 1977) provides that the Office of Administration shall upon request, assist the White House office in performing its role of providing those administrative services which are primarily in direct support of the President. Due to this role of providing direct support to the President, members of the public should presume that communications between the Director of the Office of Administration and the President (and their staffs) are confidential and ordinarily will not be released; they will usually fall, at a minimum, within Exemption 5 of the Act.

(c) The medical, financial and personnel files of employees of the Office of Administration are exempt from disclosure to the public.

§ 1502.18 Deletion of exempted matters.

Where requested records contain matters which are exempted under 5 U.S.C. 552(b) but which matters are reasonably segregable from the remainder of the records, they shall be disclosed by the Office with deletions. To each such record, the Office shall attach a written justification for making deletions. A single such justification shall suffice for deletions made in a group of similar or related records.

§ 2502.19 Annual report.

The Deputy Director shall annually on or before March 1, submit a Freedom of Information report covering the preceding calendar year to the Speaker of the House of Representatives and President of the Senate. The report shall include those matters required by 5 U.S.C. 552(d).

Subpart B—Production in Response to Subpoenas or Demands of Courts or Other Authorities

§ 2502.30 Purpose and scope.

This subpart contains the regulations of the Office concerning procedures to be followed when a subpoena, order or other demand (hereinafter in this subpart referred to as a "demand") of a court or other authority is issued for the production or disclosure of: (a) Any material contained in the files of the Office of Administration; (b) any information relating to materials contained in the files of the Office; or (c) any information or material acquired by any person while such person as an employee of the Office of Administration as a part of the performance of his official duties or because of his official status.

§ 2502.31 Production prohibited unless approved by the Director.

No employee or former employee of the Office of Administration shall, in response to a demand of a court or other authority, produce any material contained in the files of the Office of Administration or disclose any information or produce any material acquired as part of the performance of his official status without the prior approval of the Director.

§ 2502.32 Procedure in the event of a demand for disclosure.

(a) Whenever a demand is made upon an employee or former employee of the Office of Administration for the production of material or the disclosure of information described in § 2502.31, he shall immediately notify the Director. If

possible, the Director shall be notified before the employee or former employee concerned replies to or appears before the court or other authority.

(b) If response to the demand is required before instructions from the Director are received, an attorney designated for that purpose by the Office of Administration shall appear with the employee or former employee upon whom the demand has been made, and shall furnish the Court or other authority with a copy of the regulations contained in this part and inform the court or other authority that the demand has been or is being, as the case may be, referred for prompt consideration by the Director. The court or other authority shall be requested respectfully to stay the demand pending receipt of the requested instructions from the Director.

§ 2502.33 Procedure in the event of an adverse ruling.

If the court or other authority declines to stay the effect of the demand in response to a request made in accordance with § 2502.32(b) pending receipt of instructions from the Director, or if the court or other authority rules that the demand must be complied with irrespective of the instructions from the Director not to produce the material or disclose the information sought, the employee or former employee upon whom the demand has been made shall respectfully decline to comply with the demand. (*United States ex rel. Touhy v. Ragen*, 340 U.S. 462 (1951)).

[FR Doc. 80-12062 Filed 4-18-80; 8:45 am]

BILLING CODE 3115-01-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 20

Advance Notice of Rulemaking on Certification of Personnel Dosimetry Processors

Correction

In FR Doc. 80-9513 appearing on page 20493, in the issue of Friday, March 28, 1980, make the following correction.

On page 20494, in the third column, first complete paragraph, the eighth line from the bottom should have read: "statistical test, $|\bar{P}| + 2S$ equal to or less".

BILLING CODE 1505-01-M

DEPARTMENT OF ENERGY

Office of Conservation and Solar Energy

10 CFR Part 455

Technical Assistance and Energy Conservation Measures: Grant Programs for Schools and Hospitals and Buildings Owned by Units of Local Governments and Public Care Institutions

AGENCY: Department of Energy.

ACTION: Notice of inquiry; request for public comment.

SUMMARY: The Department of Energy (DOE) published in the Federal Register on April 17, 1979 (44 FR 22940) final regulations for grants programs established pursuant to Title III of the National Energy Conservation Policy Act (NECPA) Pub. L. 95-619, 92 Stat. 3206, funding technical assistance and energy conservation measures for schools, hospitals, buildings owned by units of local governments, and public care institutions. The first grant cycle for these programs closed on March 15, 1980. Because DOE wishes to improve the effectiveness of these programs by taking advantage of the experience obtained during the first grant program cycle, it is publishing this notice to solicit public comment concerning possible amendments to the present regulations for use in future grant program cycles.

DATES: While DOE will continue to receive comments on the regulations governing these programs, comments must be received by May 30, 1980 to be considered for amendments affecting the third grant program cycle.

ADDRESS: Send comments to Docket Number (CAS-RM-80-509) Carol Snipes, Hearings and Dockets, Conservation and Solar Energy, Department of Energy, Mail Stop 6B-025, 1000 Independence Ave., S.W., Washington, D.C. 20585, (202) 252-9319.

FOR FURTHER INFORMATION CONTACT:

Michael Willingham or Ronald Milner, Institutional Buildings Grants Programs Division, Office of Conservation and Solar Energy, Room 2H-043, 1000 Independence Avenue, S.W., Washington, D.C. 20585, (202) 252-2325.

Edward H. Pulliam, Office of the General Counsel, Department of Energy, Room 1E-258, 1000 Independence Ave., S.W., Washington, D.C. 20585 (202) 252-9510.

SUPPLEMENTARY INFORMATION: Under Title III of the National Energy Conservation Policy Act (NECPA), Pub. L. 95-619, 92 Stat. 3206, the Department of Energy (DOE) published regulations implementing grants programs funding

technical assistance and energy conservation measures for schools, hospitals, buildings owned by units of local governments and public care institutions (44 FR 22940).

The program funds may be used by schools and hospitals for the design, acquisition, and installation of energy conservation measures, such as roof and wall insulation and storm windows, and for measures to allow the use of solar or other alternative energy resources.

Funds also may be used by schools, hospitals, units of local government, and public care institutions for technical procedures and of acquiring and installing certain energy conservation measures.

The regulations establish a procedure for States to submit plans to DOE for funding of eligible institutions. Once the State Plans have been approved, individual institutions or agencies coordinating several institutions forward applications for funding to the State in which they are located. The State ranks the eligible applications on a building-by-building basis in accordance with procedures established by the State Plan and criteria in NECPA and the regulations. The State then forwards a listing of buildings covered by eligible applications to DOE for review, approval and funding. Available funds are allocated to States according to a formula established in the regulations. States may also submit applications for administrative expenses.

DOE is inviting comments concerning amendments to the regulations establishing this program and encourages all interested parties to respond.

Issued in Washington, D.C., on April 14, 1980.

T. E. Stelson,

Assistant Secretary, Conservation and Solar Energy.

[FR Doc. 80-12242 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Ch. I

[Summary Notice No. PR-80-1A]

Petitions for Rule Making; Summary of Petitions Received and Dispositions of Petitions Denied

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for rule making and of dispositions of petitions denied.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for rule making (14 CFR Part 11), this notice contains a summary of certain petitions requesting the initiation of rule making procedures for the amendment of specified provisions of the Federal Aviation Regulations and of denials of certain petitions previously received. The purpose of this notice is to improve the public's awareness of this aspect of FAA's regulatory activities. Publication of this notice and any information it contains or omits is not intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and be received on or before: May 21, 1980.

ADDRESSES: Send comments on the petition in triplicate to: Federal Aviation Administration, Office of the Chief

Counsel, Attn: Rules Docket (AGC-24), Petition Docket No. , 800 Independence Avenue, SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION: The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-24), Room 916, FAA Headquarters Building (FOB 10A), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-3644.

This notice is published pursuant to paragraphs (b) and (f) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C., on April 17, 1980.

Edward P. Faberman,
Acting Assistant Chief Counsel, Regulations and Enforcement Division, Federal Aviation Administration.

Petitions for Rulemaking

Docket No.	Petitioner	Description of the rule requested
19448	Friends of the Earth..... Summary	This notice extends the comment period on the petition of the Friends of the Earth dated May 30, 1979 published January 17, 1980 (45 FR 3316). The petition to the FAA requested the initiation of public rulemaking procedures for the amendment of specified provisions of the Federal Aviation Regulations. The EPA received a parallel petition requesting changes in EPA policies and procedures with respect to labeling and enforcement activities in the area of aerial pesticide application. We understand that EPA is taking appropriate action to extend the comment period on the petition which they received. The petitions were initially published together and verbatim because of the inherent relationship of the actions requested and the need to receive public comments simultaneously on each petition and to ensure due consideration of each under the applicable procedures of the FAA and EPA. Although the notice sets forth the contents of both petitions as received without change, their publication does not represent any agency position on the merits of the petitions. The notice does not propose any amendment of current rules or any change in policy or procedures. After consideration of the available data and comments received in response to the notice, the FAA and EPA will consult and determine whether they should proceed to initiate rulemaking or other proceedings based on the Friends of the Earth petitions. If rulemaking is appropriate, a notice of proposed rulemaking containing regulatory proposals will be issued by the proper agency.

(FR Doc. 80-12297 Filed 4-18-80; 8:45 am)
BILLING CODE 4910-13-M

14 CFR Ch. I

Proposed Alteration of the New York Terminal Control Area; Informal Airspace Meeting; Additional Location

AGENCY: Federal Aviation Administration, DOT.

ACTION: Additional Informal Airspace Meeting.

SUMMARY: The Federal Aviation Administration (FAA) will hold an Informal Airspace Meeting in addition to the previously identified locations as advertised in the Federal Register, Volume 45, FR 17019, dated Monday, March 17, 1980 for the purpose of

discussing a plan by the FAA to alter the Group I Terminal Control Area (TCA) at New York.

DATE: This additional meeting will be held on June 3, 1980, between 7:00 p.m. and 10:00 p.m.

ADDRESS: The meeting will be held at the following location:

Auditorium of the August Martin High School, 156-10 Baisley Boulevard, Jamaica, New York, 11434.

FOR FURTHER INFORMATION CONTACT: Mr. Russell W. Shedd, Chief, New York Common IFR Room, Federal Aviation Administration, Hangar 11, John F. Kennedy International Airport, Jamaica,

New York 11430, telephone (212) 995-9540. Office hours are 8 a.m. to 4:30 p.m. Monday through Friday.

SUPPLEMENTARY INFORMATION: The purpose of these Informal Airspace Meetings is to offer all persons likely to be affected by the proposed alternation of the TCA the opportunity to present their views, and to assist the FAA in the preparation of an airspace action that will accomplish the improved safety objectives with the least impact on the airspace users, but limited to the space available.

No formal minutes or transcripts will be taken, however, anyone may submit written comments before or during the meetings which will be made a matter of record if they so desire. This action will not prevent interested persons from submitting comments later in response to a Notice of Proposed Rulemaking in the event the item is formally proposed.

Issued on: April 3, 1980.
Walter H. Mitchell,
Chief, Airspace and Procedures Branch, AEA-530.

(FR Doc. 80-11913 Filed 4-18-80; 8:45 am)
BILLING CODE 4910-13-M

WATER RESOURCES COUNCIL

18 CFR Ch. VI

Improving Government Regulations; Semiannual Agenda

AGENCY: U.S. Water Resources Council.
ACTION: Notice of Regulations Agenda.

SUMMARY: In accordance with Executive Order 12044, the Council publishes here a list of significant regulations and rules that are under development or under review during 1980.

For further information contact: Sandy Hamilton, Water Resources Council, 2120 L Street, NW, Washington, DC 20037, phone: 202/254-6303.

The following significant regulations or rules are under development or consideration by the Council:

1. Manual of procedures for evaluating the effects on environmental quality of Federal water resources projects. These procedures supplement and implement the Principles and Standards established by the Council under Section 103 of the Water Resources Planning Act (42 U.S.C. 1942a-2). They are scheduled for publication for comment in April, with promulgation as final rules in September 1980.

2. Manual of procedures for evaluating the benefits and costs of Federal water resources projects. Most of the parts of

this manual were published as a final rule on December 14, 1979, 44 FR 72892. Additional economic evaluation procedures are being prepared for deep draft navigation and commercial fishing. These procedures supplement and implement the Principles and Standards established by the Council under Section 103 of the Water Resources Planning Act (42 U.S.C. 1962a-2). The two additional parts are scheduled for publication and comment in April, with promulgation as final rules in September 1980.

3. Water projects review function. Executive Order 12113 established a technical review function in the Council. The review project will provide an impartial technical review of preauthorization reports or proposals and preconstruction plans for compliance with the Council's Principles and Standards, and with other Federal laws, regulations, and guidelines relevant to the planning process. A proposed rule was published on February 16, 1979, 44 FR 10316.

4. Revision of the Principles and Standards to improve readability and clarity to fully integrate NEPA requirements and to change their form from notice to regulation. A proposed regulation is scheduled for publication for comment in April, with promulgation as final rules in September 1980.

The following regulation is under review and consideration for revision: State water management grant program guidelines.

These guidelines implement Title III of the Water Resources Planning Act (42 U.S.C. 1962c).

Dated: March 26, 1980.

Leo M. Eisel,
Director.

[FR Doc. 80-12133 Filed 4-18-80; 8:45 am]
BILLING CODE 8410-01-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

20 CFR Part 416

[Reg. No. 16]

Supplemental Security Income for the Aged, Blind, and Disabled; Interim Assistance Provisions

AGENCY: Social Security Administration,
HEW.

ACTION: Proposed rule.

SUMMARY: We plan to revise and reorganize our rules on interim assistance provisions under the Supplemental Security Income (SSI)

program. Our purpose is to make these rules clearer and easier for the public to use. These rules explain the interim assistance provisions contained in section 1631(g) of the Social Security Act. They permit the Social Security Administration (SSA) to enter into an agreement with a State to repay the State (or a political subdivision of the State) for interim assistance it gives an individual while his or her application for SSI is pending. They permit SSA to withhold an individual's first SSI benefit payment and send it to the State as repayment for interim assistance, upon the individual's written authorization. A policy change being proposed in these rules will allow the authorization to go into effect not only when SSA receives it, but (if our agreement with the State allows) when we receive notice from the State that it has received an authorization.

DATES: We will consider your comments if we receive them no later than June 20, 1980.

ADDRESSES: Send your written comments to the Social Security Administration, Department of Health, Education, and Welfare, P.O. Box 1585, Baltimore, Md. 21203.

You may see copies of all comments we receive at the Washington Inquiries Section, Office of Information, Department of Health, Education, and Welfare, North Building, Room 1169, 330 Independence Avenue, S.W., Washington, D.C. 20201.

FOR FURTHER INFORMATION CONTACT: Vera Schlosser, Legal Assistant, Room 4-H-10, West High Rise Building, 6401 Security Boulevard, Baltimore, Md. 21235, phone, (301) 594-7332.

SUPPLEMENTARY INFORMATION: We are revising and reorganizing these rules as part of Operation Common Sense, a Department-wide project to review and clarify all of our current regulations.

Sections Retitled, Rearranged

We have rearranged the sections in this Subpart S in a more logical sequence. We have retitled and rewritten the sections in clear, plain language. We have added subtitles to highlight important rules and make them easier to find.

Definitions

We have rewritten and expanded the definitions in this subpart. These definitions are in § 416.1902.

Authorizations

The rules in §§ 416.1904-416.1908 explain that a claimant for SSI benefits may authorize SSA to withhold his or her first SSI benefit payment and send it

to the State to repay the State for interim assistance it gave the claimant while the application was pending. The rules explain that in order to send payments to a State (or a political subdivision of a State) SSA must have an interim assistance agreement with the State. The rules also explain when an individual's authorization goes into effect, how long it remains in effect, and when another authorization may be needed.

Interim Assistance Agreements

The rules in § 416.1910 describe the requirements that must be part of an interim assistance agreement between SSA and the State. SSA must agree to repay the State (or a political subdivision of the State) for interim assistance it gives a claimant who has authorized SSA to withhold SSI benefit payments. The State must agree to pay any excess repayment to the SSI beneficiary (or to SSA if the State cannot pay the beneficiary). The State must agree to notify the SSI beneficiary about the amount of interim assistance SSA repaid, and about any excess amount due the beneficiary; and to give the beneficiary an opportunity for a hearing if he or she disagrees with the State's actions regarding repayment of interim assistance. SSA and the State must agree to the length of time the agreement will be in effect. The State must agree to comply with any other regulations that SSA finds necessary to administer the interim assistance provisions.

Appeals

The rules in §§ 416.1920-416.1922 describe the SSI beneficiary's appeal rights in the State and in SSA.

Difference Between Current Regulations and Proposed Regulations

The proposed regulations, § 416.1902, make explicit that, for interim assistance purposes, an SSI benefit payment is defined to include the first payment made based upon presumptive disability or presumptive blindness. This clarification is made to distinguish between the treatment of first payments based upon presumptive disability or presumptive blindness, and advance payments that, under the law, are not considered SSI benefit payments for interim assistance purposes.

Under the current regulations SSA requires actual receipt of a written authorization from an individual before withholding the first SSI benefit payment to be sent to the State. The proposed regulations, § 416.1906, will make an authorization effective when SSA receives it, or (if our agreement

with the State allows) when SSA receives notice from the State that it has received an authorization. This change improves administrative efficiency by permitting full use of automated systems. The same section also makes explicit that the State and an individual may agree to terminate an authorization.

(Catalog of Federal Domestic Assistance Program No. 13.807, Supplemental Security Income program)

Dated: February 20, 1980.

William J. Driver,

Commissioner of Social Security.

Approved: April 15, 1980.

Patricia Roberts Harris,

Secretary of Health, Education, and Welfare.

Subpart S of Part 416, Chapter II, of Title 20 of the Code of Federal Regulations, is revised to read as follows:

Subpart S—Interim Assistance Provisions

Introduction

Sec.

416.1901 Scope of Subpart S.

416.1902 Definitions.

Authorizations

416.1904 Authorization to withhold SSI benefits.

416.1906 When your authorization is in effect.

416.1908 When we need another authorization.

Interim Assistance Agreements

416.1910 Requirements for interim assistance agreements.

Appeals

416.1920 Your appeal rights in the State.

416.1922 Your appeal rights in SSA.

Authority: Secs. 1102 and 1631 of the Social Security Act as amended; 49 Stat. 647 as amended; 86 Stat. 1475 as amended; [42 U.S.C. 1302 and 1383].

Subpart S—Interim Assistance Provisions

Introduction

§ 416.1901 Scope of Subpart S.

(a) *General.* This subpart explains that we may withhold your SSI benefit payments and send them to the State (or a political subdivision of the State) as repayment for any interim assistance it gives you while your application for SSI is pending. Before we will do this, the State must have entered into an interim assistance agreement with us, and you must have given written authorization for us to repay the State (or a political subdivision of the State).

(b) *Organization of this subpart.* We have organized this subpart as follows:

(1) *Definitions.* Section 416.1902 contains definitions of terms used in this subpart.

(2) *Authorizations.* Sections 416.1904—416.1908 give the rules that apply to your written authorization.

(3) *Interim assistance agreements.* Section 416.1910 gives the requirements for interim assistance agreements between us and the State.

(4) *Appeals.* Sections 416.1920—416.1922 describe your appeal rights in the State and in SSA.

§ 416.1902 Definitions.

For purposes of this subpart—

"*Authorization*" means your written permission (in a form acceptable to us and legally acceptable to the State from which you received interim assistance) for us to withhold your first SSI benefit payment and send it to the State.

"*Interim assistance*" means assistance the State gives you (including payments made on your behalf to providers of goods or services) to meet your basic needs, starting with the month you apply for SSI benefits and are eligible for them, and ending with (and including) the month your SSI benefit payments begin. If the State has prepared and cannot stop delivery of its last assistance payment to you when it receives your SSI benefit payment from us, that assistance payment is included as interim assistance to be reimbursed. Interim assistance does not include assistance payments financed wholly or partly with Federal funds.

"*SSI benefit payment*" means your Federal benefit, and any State supplementary payment made by us to you on behalf of a State (see Subpart T of this part), which is due you at the time we make the first payment of benefits. The first payment we make to you based upon presumptive disability or presumptive blindness (see § 416.951) is also considered an SSI benefit payment. However, advance payment (as defined in § 416.520) is not considered an SSI benefit payment for interim assistance purposes.

"*State*" for purposes of an interim assistance agreement, means a State of the United States, the District of Columbia, or the Northern Mariana Islands. For all other purposes (e.g., payment, appeals, notices) "State" also means a political subdivision of any of these.

"*We*," "*Us*," or "*Our*" means the Social Security Administration.

"*You*" or "*Your*" means someone who has applied for or is already receiving SSI benefits.

Authorizations

§ 416.1904 Authorization to withhold SSI benefits.

We may withhold your SSI benefit payment and send it to the State to repay the State for the interim assistance it gave to you, if—

(a) We have an interim assistance agreement with the State at the time your authorization goes into effect; and

(b) Your authorization is in effect at the time we make the SSI benefit payment.

§ 416.1906 When your authorization is in effect.

Your authorization for us to withhold your SSI benefit payment, to repay the State for interim assistance the State gives you, is effective when we receive it, or (if our agreement with the State allows) when we receive notice from the State that it has received your authorization. It remains in effect until—

(a) We make an SSI benefit payment on your claim;

(b) We make a final determination denying your claim (if your SSI claim is denied, the denial is the final determination, unless you file a timely appeal as described in Subpart N of this part); or

(c) You and the State agree to terminate your authorization.

§ 416.1908 When we need another authorization.

Once an event described in § 416.1906 occurs, your authorization is no longer effective. If you reapply for SSI benefits, we need a new authorization from you.

Interim Assistance Agreements

§ 416.1910 Requirements for interim assistance agreement.

An interim assistance agreement must be in effect between us and the State if we are to repay the State for interim assistance. The following requirements must be part of the agreement:

(a) *SSA to repay the State.* We must agree to repay the State for interim assistance it gives you. Repayment to the State takes priority over any underpayments due (see §§ 416.525 and 416.542).

(b) *State to pay any excess repayment to you.* The State must agree that, if we repay it an amount greater than the amount of interim assistance it gave to you, the State will—

(1) Pay the excess amount to you no later than 10 working days from the date the State receives repayment from us; or

(2) Refund the excess amount to us, if the State cannot pay it to you.

(c) *State to notify you.* The State must agree to give you written notice explaining—

(1) How much we have repaid the State for interim assistance it gave you;

(2) The excess amount, if any, due you; and

(3) That it will give you an opportunity for a hearing if you disagree with the State's actions regarding repayment of interim assistance.

(d) *Duration of the agreement.* We and the State must agree to the length of time that the agreement will remain in effect.

(e) *State to comply with other regulations.* The State must agree to comply with any other regulations that we find necessary to administer the interim assistance provisions.

Appeals

§ 416.1920 Your appeal rights in the State.

Under its interim assistance agreement with us, the State must agree to give you an opportunity for a hearing if you disagree with the State's actions regarding repayment of interim assistance. For example, you are entitled to a hearing by the State if you disagree with the State regarding the amount of the repayment the State retains or the amount of any excess the State pays to you. You are not entitled to a Federal hearing on the State's actions regarding repayment of interim assistance.

§ 416.1922 Your appeal rights in SSA.

If you disagree with the total amount of money we have withheld and sent to the State for the interim assistance it gave to you, you have a right to appeal to us, as described in Subpart N of this part.

[FR Doc. 80-12059 Filed 4-18-80; 8:45 am]

BILLING CODE 4110-07-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FRL 1469-3]

Approval and Promulgation of Implementation Plans, Proposed Revision Idaho State Implementation Plan

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Availability and Advance Notice of Proposed Rulemaking.

SUMMARY: EPA announces today receipt of the Pocatello Total Suspended Particulate (TSP) Control Strategy as a

revision to the Idaho State Implementation Plan. The public is invited to submit written comments to the record. A Notice of Proposed Rulemaking describing this revision and the action that EPA intends to take regarding this proposed revision will be published in the *Federal Register* at a later date. A second comment period for submittal of written comments will extend for thirty (30) days after the publication of the Notice of Proposed Rulemaking.

DATE: Preliminary comments on the proposed revision will be accepted by EPA until such time as EPA proposes its decision on the Idaho State Implementation Plan. Subsequent to such proposal, EPA will again invite public comment on this proposed revision to the Idaho SIP.

ADDRESSES: The Pocatello TSP control strategy may be examined during normal business hours at the following locations:

Public Information Reference Unit,
Library Systems Branch,
Environmental Protection Agency, 401
M Street, SW., Washington, D.C.
20460

Air Programs Branch, Environmental
Protection Agency, Region X, 1200
Sixth Avenue, Seattle, WA 98101

State of Idaho, Department of Health
and Welfare, 450 W. State Street,
Boise, Idaho 83720

Comments should be addressed to:

Laurie M. Kral, Air Programs Branch,
Environmental Protection Agency,
1200 Sixth Avenue, Seattle, WA 98101,
telephone No. (206) 442-1226 (FTS)
399-1226

FOR FURTHER INFORMATION CONTACT:
Michael J. Schultz, Air Programs Branch
M/S 629, Environmental Protection
Agency, 1200 Sixth Avenue, Seattle, WA
98101, telephone No. (206) 442-1226
(FTS) 399-1230.

SUPPLEMENTARY INFORMATION: Section 172 of the Clean Air Act, as amended in August 1977, requires that states submit revisions to their implementation plans by January 1, 1979 to provide for the attainment of the national ambient air quality standards (NAAQS) in areas designated non-attainment.

On March 3, 1978 [43 FR 8984] EPA designated certain areas in Idaho as non-attainment. Subsequently, EPA published specific guidance for an approvable Part D SIP. This guidance is described in a General Preamble on April 4, 1979, *Federal Register* [44 FR 20372] and supplemented in the *Federal Register* on July 2, 1979 [44 FR 38583], August 28, 1979 [44 FR 50371], September 17, 1979 [44 FR 53761], and

November 23, 1979 [44 FR 67182]. This guidance is incorporated by reference and will not be restated here.

The purpose of this Notice is to call the public's attention to the fact that the Pocatello Total Suspended Particulates Control Strategy has been formally submitted to EPA and is available for public inspection at the locations listed above. The public is encouraged to submit written comments regarding the proposed revision and thus participate in this rulemaking activity.

Those interested may wish to first read the General Preamble for proposed rulemaking published by the EPA on April 4, 1979 [44 FR 20372] and supplemented in the *Federal Register* on July 2, 1979 [44 FR 38583], August 28, 1979 [44 FR 50371], September 17, 1979 [44 FR 53761], and November 23, 1979 [44 FR 67132] which identifies the major considerations that will guide EPA's evaluation of SIP revisions. A more detailed description of this revision will be published in the *Federal Register* at a later date as part of a Notice of Proposed Rulemaking.

(Secs. 110 and 172 of the Clean Air Act (42 U.S.C. 7410 and 7502))

Dated: April 11, 1980.

L. Edwin Coate,
Acting Regional Administrator.

[FR Doc. 80-12171 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

40 CFR Part 419

[FRL 1470-1]

Petroleum Refining Point Source Category Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of comment period.

SUMMARY: On December 21, 1979, EPA proposed regulations under the Clean Water Act to limit effluent discharges to waters of the United States and the introduction of pollutants into publicly owned treatment works from facilities engaged in petroleum refining operations (44 FR 75926-75947). The comment period was scheduled to expire February 19, 1980 and was extended to April 19, 1980. EPA is hereby further extending the period for comment on the proposed regulations to June 19, 1980, because of the continuing strike of the Oil, Chemical, and Atomic Workers Union.

DATES: Comments on the proposed regulations for the petroleum refining

industry (44 FR 75926) must be submitted to EPA by June 19, 1980.

ADDRESS: Send comments to: Mr. John W. Lum, Effluent Guidelines Division (WH-552), Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460, Attention: Docket Clerk, Proposed Petroleum Refining. The supporting information and all comments on this proposal will be available for inspection and copying at the EPA Public Information Reference Unit, Room 2404 (Rear) PM-213. The EPA information regulation (40 CFR Part 2) provides that a reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. John W. Lum, (202) 426-4617.

SUPPLEMENTARY INFORMATION: On December 21, 1979, EPA proposed regulations to limit effluent discharges to waters of the United States and the introduction of pollutants into publicly owned treatment works from facilities engaged in petroleum refining operations (44 FR 75926-75949). The December 21 notice stated that comments on the proposal were to be submitted on or before February 19, 1980. A notice was issued on February 20, 1980 which extended the comment period to April 19, 1980.

Because of the continuing strike of the Oil, Chemical, and Atomic Workers Union, the comment period has been further extended to allow the industry adequate time to review and comment on the proposed regulations. All comments must be submitted by June 19, 1980.

Dated: April 11, 1980.

Eckardt C. Beck,

Assistant Administrator, for Water and Waste Management.

[FR Doc. 80-12183 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

40 CFR Ch. I

[OPP-30036; FRL 1472-3]

Petitions of the Friends of the Earth for Rulemaking and Policy Changes; Aerial Application of Pesticides; Extension of Comment Period

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of extension of comment period.

SUMMARY: In the Federal Register of January 17, 1980 (45 FR 3316), the Federal Aviation Administration (FAA) and the Environmental Protection Agency (EPA) jointly published two petitions from the Friends of the Earth.

The petition to the FAA requested initiation of public rulemaking procedures for the amendment of specified provisions of Federal Aviation Regulations. The second petition to the EPA requested changes in EPA policies and procedures with respect to labeling and enforcement activities in the area of aerial pesticide application. Comments on both petitions were invited. The comment period closed on April 17, 1980. EPA and FAA are extending the comment period.

DATE: Comments must be received on or before May 21, 1980.

ADDRESS: Comments should bear the identifying document control number FAA Docket No. 19448, and should be addressed to: Document Control Officer (TS-793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, 401 M St., SW, Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Jean Frane, Registration Division (TS-767), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW, Washington, DC 20460, 202-426-2510.

SUPPLEMENTARY INFORMATION: Friends of the Earth submitted petitions to EPA and FAA concerning aerial applications of pesticides. FAA and EPA published the complete texts of the petitions in the Federal Register of January 17, 1980 (45 FR 3316). The two agencies invited comments in the whole area of aerial pesticide application; the comment period closed on April 17, 1980. The FAA has received a petition requesting extension of the comment period, and intends to grant this petition. EPA has also had numerous requests for an extension of the comment period to give interested persons more time to submit comments and suggestions on labeling pesticides for aerial application and low volume (LV) and ultralow volume (ULV) aerial applications of pesticides. Since EPA is actively engaged in a number of activities in these areas and wishes to increase public awareness of spray programs, the agency has decided to extend the comment period. Elsewhere in today's issue of the Federal Register FAA is also extending the time period for comments addressed to it.

The public record in relation to these petitions is available for inspection in Room E-447, EPA, at the address given above from 8:00 a.m. to 4:00 p.m. from Monday through Friday, excluding holidays.

Dated: April 17, 1980.

Douglas D. Campt,

Acting Deputy Assistant Administrator for Pesticide Programs.

[FR Doc. 80-12231 filed 4-17-80; 3:07 am]

BILLING CODE 6560-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Part 44

[CGD 79-142]

Special Service Load Line Vessels; Operation During the Hurricane Season

AGENCY: Coast Guard, DOT.

ACTION: Proposed rules.

SUMMARY: The Coast Guard proposes to amend its regulations which place limitations upon the operation of merchant vessels assigned special service load lines. Under existing regulations, these vessels are effectively prohibited from operating during hurricane season on the Southeast Atlantic and Gulf Coasts. The proposed regulations would permit such operation provided the vessel complies with a heavy weather operating plan filed with and approved by the Coast Guard.

DATE: Comments must be received on or before June 5, 1980.

ADDRESSES: Comments should be mailed to Commandant (G-CMC/24) (CGD 79-142), U. S. Coast Guard, Washington, D.C. 20593. Between the hours of 7:30 a.m. and 4:30 p.m., Monday through Thursday, except holidays, comments may be delivered to and will be available for inspection or copying at the Marine Safety Council (G-CMC/24), Room 2418, U.S. Coast Guard Headquarters, 2100 Second St., SW, Washington, D.C. 20593.

FOR FURTHER INFORMATION CONTACT: Mr. Donald L. Ewing, Office of Merchant Marine Safety (G-MMT-5/12), Room 1206, U.S. Coast Guard Headquarters, Washington, D.C. 20593 (202) 426-2187.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this proposed rulemaking by submitting written views, data, or arguments. Each should include the name and address of the person submitting the comment, identify this notice (CGD 79-142) and the specific section of the proposal to which the comment applies, and give the reasons for the comment. Persons desiring acknowledgment that their comment has been received should enclose a stamped, self-addressed postcard or

envelop. The proposal may be changed in light of comments received. All comments received will be considered before final action is taken on this proposal. Copies of all written comments will be available for examination by interested persons. No public hearing is planned but one may be held if written requests for a hearing are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

Drafting Information

The principal persons involved in drafting this proposal are Mr. Donald L. Ewing, Project Manager, Office of Merchant Marine Safety, and Mr. Coleman Sachs, Project Counsel, Office of the Chief Counsel.

Discussion of the Proposed Regulations

A load line is a mark placed on the side of a vessel which is used to gauge the maximum depth to which the vessel may be safely loaded. In the assignment of load lines, consideration is generally given to the season in which the vessel will be operating and the routes that it will be transiting. The International Convention on Load Lines, 1966, established standards for the positioning of these marks. As expressed in 46 CFR 44.01-10, the Commandant of the Coast Guard has determined that "special service" load lines at variance with and less restrictive than these standards may be assigned for certain specifically limited coastwise voyages between ports of the continental United States. These voyage limits, which are set out in 46 CFR 44.01-12, include areas on the Central and Northern Atlantic Coast, the Southeast Atlantic Coast, the Gulf of Mexico Coast, and the Pacific Coast.

At the time 46 CFR Part 44 was originally drafted, modern weather forecasting and information transmission systems did not exist and a manned vessel operating within the voyage limits on the Southeast Atlantic Coast or the Gulf of Mexico Coast was significantly more vulnerable to being caught unawares by heavy weather than a vessel operating in the other two areas. Therefore, a special service load line assignment was made invalid during the hurricane season, July 1st to November 15th, within the voyage limits on the Southeast Atlantic Coast or the Gulf of Mexico Coast. This effectively prohibits a manned vessel with a special service load line from operating between July 1st and November 15th within these areas.

Today, however, inexpensive radios are readily available which can receive up-to-date weather information

provided on an around-the-clock basis by the National Weather Information Service. As a result, the Coast Guard considers that a vessel assigned a special service load line and operating within the voyage limits on the Southeast Atlantic Coast or the Gulf of Mexico Coast is not as vulnerable to being caught unawares by heavy weather, permitting a relaxation in the seasonal restrictions.

The regulation proposed in this notice would allow operation during the hurricane season on the condition that the terms contained in a heavy weather plan provided by the vessel owner or operator and approved by the Coast Guard are complied with. The heavy weather plan would be filed with and approved by the Officer in Charge, Marine Inspection (OCMI) whose area includes the work site for vessels engaged in construction or other activity in a limited geographical area, or the point of departure for transiting vessels. The OCMI may allow a single plan for more than one vessel at the same work site or on the same route. However, no plan would be valid for more than one hurricane season.

The Coast Guard does not intend for the heavy weather plan to become a formal document. The actual content of the plan would be determined by the cognizant OCMI who is familiar with the local conditions and needs. At the discretion of the OCMI, the plan may contain instructions to the master on minimum intervals for monitoring weather, local weather radio frequencies, and time schedules for seeking a harbor of safe refuge.

In consideration of the foregoing, the Coast Guard proposes to amend Part 44 of Title 46, Code of Federal Regulations, as follows:

1. By revising § 44.01-12(b) (2) and (3) to read as follows:

§ 44.01-12 Voyage limits; special service.

- (a) * * *
- (b) * * *
- (1) * * *

(2) Southeast Atlantic Coast—From Key West, Florida, to Jacksonville, Florida, except that the special service load line is not valid for manned vessels during the hurricane season, i.e., July 1st to November 15th, both dates inclusive, unless the vessel is operated in accordance with a Coast Guard approved heavy weather plan.

(3) Gulf of Mexico Coast—From the mouth of the Rio Grande River, Texas, to Key West, Florida, except that the special service load line is not valid for manned vessels during the hurricane season, i.e., July 1st to November 15th, both dates inclusive, unless the vessel is

operated in accordance with a Coast Guard approved heavy weather plan.

2. By adding a new § 44.01-13 to read as follows:

§ 44.01-13 Heavy weather plan.

(a) Each heavy weather plan under § 44.01-12(b) must be prepared by the vessel owner or operator and approved by the cognizant Officer in Charge, Marine Inspection. Approval of a heavy weather plan is limited to the current hurricane season.

(b) The cognizant Officer in Charge, Marine Inspection, is—

(1) The Officer in Charge, Marine Inspection, within whose area the work site is located for a vessel that will be operating in a limited geographical area; or

(2) The Officer in Charge, Marine Inspection, within whose area the point of departure is located for a transiting vessel.

(c) The required content of the heavy weather plan is determined on a case-by-case basis by the cognizant Officer in Charge, Marine Inspection, based on knowledge of the local conditions. The heavy weather plan may contain weather radio frequencies and time schedules for seeking a harbor of safe refuge. A single heavy weather plan may be accepted for more than one vessel operating at a single work site or on a single route.

(d) The vessel owner or operator must place a copy of the heavy weather plan on each vessel to which it applies and ensure that it remains there throughout the hurricane season.

(46 U.S.C. 88a, 49 CFR 1.46(b))

Dated: April 10, 1980.

Henry H. Bell,

Rear Admiral, U.S. Coast Guard, Chief, Office of Merchant Marine Safety.

[FR Doc. 80-12139 Filed 4-18-80; 8:45 am]

BILLING CODE 4910-14-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Ch. I

Improving Government Regulations; Publication of Semiannual Agenda of Significant Rule Makings

AGENCY: Federal Communications Commission.

ACTION: Rescheduling of date for publication of the Federal Communications Commission's Semiannual Agenda of Significant Rule Makings.

SUMMARY: The Commission has changed its date of publication of the semiannual agenda from April 21, 1980 to May 6, 1980.

ADDRESS: Federal Communications Commission, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Fred Day, Office of Executive Director, 632-7513.

SUPPLEMENTARY INFORMATION: Pursuant to Executive Order 12044, Improving Government Regulations, this Commission previously announced that it would publish its next semiannual agenda of significant rule makings in the Federal Register on April 21, 1980 (44 FR 56520, October 1, 1979). It has been necessary to change the date of publication. Accordingly, the next FCC semiannual agenda will be published on May 6, 1980.

William J. Tricarico,
Secretary.

[FR Doc. 80-12195 Filed 4-18-80; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 63

[CC Docket No. 78-72; FCC 80-198]

MTS and WATS Market Structure; Second Supplemental Notice of Inquiry

AGENCY: Federal Communications Commission.

ACTION: Notice of inquiry and proposed rulemaking.

SUMMARY: This Second Supplemental Notice of Inquiry and Proposed Rulemaking invites comments with respect to a tentative plan for prescribing the compensation which interexchange carriers will pay to exchange carriers for the use of local telephone exchange facilities to originate or terminate interstate or foreign telecommunications. This Notice also modifies the Supplemental Notice by rescinding invitations to file requests for information and replies to the industry model comments.

DATES: Comments must be received on or before July 31, 1980. Reply comments must be filed on or before September 15, 1980.

ADDRESSES: Federal Communications Commission, 1919 M Street, NW, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Michael Cummins, Common Carrier Bureau (202) 632-9342.

SUPPLEMENTARY INFORMATION: Adopted: April 9, 1980. Released: April 16, 1980.

In the Matter of MTS and WATS Market Structure second supplemental

notice of inquiry and proposed rulemaking, CC Docket No. 78-72; (45 FR 20142 March 27, 1980).

By the Commission: Chairman Ferris issuing a separate statement; Commissioner Fogarty concurring and issuing a statement in which Commissioner Jones joins.

I. Introduction

1. This proceeding was instituted in February 1978 in order to determine whether services such as MTS and WATS should be provided on a sole source or a competitive basis. *Notice of Inquiry and Proposed Rulemaking* ("Initial Notice"), 67 F.C.C. 2d 757 (1978). The Initial Notice advised interested persons that we also expect to consider related regulatory policy questions in this proceeding and that our consideration of related questions would include an examination of existing arrangements to compensate telephone companies for the use of local exchange facilities to originate or terminate interstate telecommunications. We said that we might exercise our powers under Section 201(a) of the Communications Act, 47 U.S.C. 201(a), to prescribe such compensation arrangements for "all interstate services of all carriers." *Id.* at 759.

2. The *Supplemental Notice of Inquiry and Proposed Rulemaking* ("Supplemental Notice"), 73 F.C.C. 2d 222 (1979) reaffirmed our decision to examine regulatory policy questions in this proceeding which are related to entry policy. Participants were expressly invited to address several related questions in industry model comments. These included allocation of investments and expenses among jurisdictions, contractual arrangements among carriers for the distribution of interstate revenues, and charges to carriers for the use of facilities of other carriers. Participants were also invited to file separate comments at an earlier date describing questions relating to those subjects that should or should not be referred to a Joint Board pursuant to Section 410(c) of the Communications Act, 47 U.S.C. 410(c).

3. We concluded in the *Supplemental Notice* that questions relating to compensation for the use of local exchange facilities should be resolved as soon as possible. We reached that conclusion for two reasons.

4. During the period which elapsed between the *Initial Notice* and the *Supplemental Notice* some carriers entered into an agreement to establish compensation arrangements for the use of local exchange facilities to provide

interstate services that are functionally equivalent to MTS or WATS. See *Exchange Network Facilities (ENFIA)*, 71 F.C.C. 2d 440 (1979). That agreement was designed to provide a temporary "rough justice" solution until other compensation arrangements are prescribed by this Commission or by new legislation. A tariff that has been filed pursuant to that agreement will expire in the spring of 1982 in the absence of further Commission action to prescribe compensation arrangements.

5. We also concluded that it might be impossible to assess the potential effects of competition in the MTS-WATS market for the purpose of formulating an entry policy until the compensation which each interexchange carrier would pay for the use of local exchange facilities under competitive conditions had been fixed. Such exchange plant investment and expense represents a significant portion of the total cost of providing such services.

6. We have now received the comments with respect to Joint Board issues and the industry model comments. The industry model comments of all participants except Alascom, Inc. either advocate an open entry policy for the MTS-WATS market or take a neutral position with respect to entry policy. Alascom, Inc. contends that unique conditions in Alaska warrant a closed entry policy for an Alaska submarket. Alascom apparently takes a neutral position with respect to entry in other submarkets.

7. Inasmuch as the model comments have not produced adversary positions with respect to entry policy generally, it will be necessary to reevaluate the nature and scope of this proceeding. We have not completed that evaluation. We expect to issue a Notice or Order before September 1980 relating to questions which do not relate to the allocation of costs among jurisdictions or to compensation arrangements for the origination or termination of interstate or foreign telecommunications.

8. The *Supplemental Notice* in this proceeding had created a limited form of discovery. That procedure was designed primarily to assist participants in developing a case to support a particular entry policy for the MTS-WATS market and does not appear to be generally appropriate under the present circumstances. The invitation to submit requests for information to the Chief of the Common Carrier Bureau will accordingly be rescinded.

9. The invitation to submit replies to the industry model comments will also be rescinded. We will establish new

schedules for the filing of comments upon questions which warrant further comment.

10. This Notice will describe a tentative plan for prescribing arrangements to compensate local exchange carriers for the origination or termination of interstate or foreign telecommunications and will establish a schedule for the filing of comments on that plan. We have decided to address this problem separately because it appears to be particularly urgent.

11. A separate Notice will be issued shortly to institute a new proceeding to revise the FCC-NARUC *Separations Manual* which we have prescribed (Part 67 of the Commission's Rules) for the purpose of allocating investment, expenses and revenues among jurisdictions. A separate docket will be established for that purpose. However, we will consider all of the comments that have been filed in this proceeding in formulating that Notice.

II. Nature of the Problem

12. The *Supplemental Notice* did not explain why we cannot assume that compensation for the origination or termination of the MTS and WATS services of the telephone companies is fixed. Neither the *Initial Notice* nor the *Supplemental Notice* explained why we must examine compensation arrangements for services that are not functionally equivalent to MTS or WATS in order to fix the compensation for MTS, WATS, and functionally equivalent services. The industry model comments indicate that most carriers do understand the reasons for our decision to prescribe compensation arrangements for all interstate and foreign services of all carriers and do concur with that decision. However, a description of the nature of the problem may be beneficial to some persons who may wish to participate in this proceeding.

A. Evolution of Existing Compensation Arrangements

13. During the early years of the telephone industry, the telephone companies that provided local exchange service did not receive any compensation from other carriers for the origination or termination of long distance calls. Local exchange rates were computed to cover the costs of using local exchange facilities for both local and long distance calls and long distance rates were computed to cover the costs of the interexchange transmission. The Supreme Court held in *Smith v. Illinois Bell Telephone Co.*, 282 U.S. 133 (1930), that the costs of originating or terminating interstate long distance calls must be excluded from

the local exchange rates. The Court concluded that the interstate service costs must be segregated because the state commission has jurisdiction to regulate rates for intrastate services and does not have jurisdiction to regulate rates for interstate services.

14. Although the *Smith v. Illinois Bell* decision related to the allocation of costs for rate regulation purposes rather than the allocation of revenues among interconnecting carriers, that decision necessarily required a change in arrangements to allocate revenues among carriers. If the carrier that originated or terminated an interstate call could not recover its origination or termination costs through local exchange service charges, a portion of the interstate long distance charges would have to be allocated to that carrier in order to make the carrier whole.

15. A new system for the allocation of interstate revenues evolved in the mid-1940s which was designed to solve that problem. All of the telephone companies in the then 48 states and the District of Columbia agreed to allocate the total revenues for most interstate calls between points in that territory in accordance with a formula which enables each participating carrier to recover its operating costs that are allocable to such interstate calls plus a portion of the remaining revenues which provides the carrier's return element and which is based upon its share of the total investment of all carriers providing interstate service. This arrangement is sometimes called a "partnership" because each participant receives the same return on its interstate investment.

16. The partnership revenues are not literally deposited in an interstate revenue pool. Monies are transferred monthly to reflect the difference between "partnership" charges collected by a particular company and the company's allocable share of the revenue pool. As we noted in the *Supplemental Notice* (73 F.C.C.2d at 233) the transfer process among Bell entities is called "divisions of revenues" and the transfer process between Bell entities and independent telephone companies is called "settlements." However, the divisions/settlements process was designed to operate as a single system which produces the same results for Bell and non-Bell "partners."

17. Carriers interconnecting with telephone companies in the 48 contiguous states to provide service to Alaska, Hawaii, Puerto Rico, the Virgin Islands and other overseas domestic points were treated in a different manner and did not participate in the divisions/settlements process. Carriers

serving Puerto Rico and the Virgin Islands will participate as partners in July 1980. A pending proceeding with respect to Alaska and Hawaii separations (Docket 21263) will result in integration of carriers serving those states into the "partnership".

18. The "partners" that originate or terminate interstate calls do not receive separate compensation for the origination or termination functions through the divisions/settlements process. Many of those carriers also provide some of the interexchange facilities. The revenue allocation is based upon the carriers' total exchange and interexchange expenses and investments allocable to the interstate partnership services.

19. The pooling arrangement is not limited to interstate MTS. Most interstate services offered by the partners, including WATS, are included in the arrangement. However, some interstate services, including ENFIA service, are not included in the pool arrangement. If a service is not included in the pool, the company which provides the service keeps all of the revenues and absorbs all of the associated costs.¹

20. Compensation for the origination and termination of two private line services, FX and CCSA, is treated in a unique way. Foreign exchange ("FX") service normally enables a subscriber to place calls to telephones in the "foreign" exchange without paying MTS charges and enables persons in the "foreign" exchange area to place calls to the FX subscriber in a distant city by calling a local number without paying MTS charges or using operator assistance to make a collect call. The FX subscriber receives two separate bills and usually pays charges to two different carriers. The bill for the "private line" covers service from the FX subscriber's telephone to the termination in a local switching office in the "foreign" exchange. The FX subscriber is billed for the use of local exchange facilities in the "foreign" exchange or "open end" by the carrier that provides that service. The FX subscriber has traditionally been billed for the open end origination or termination service at the same rate which local subscribers pay for business local exchange service in the area served by the local exchange.²

¹ Pooled services are sometimes described as services that are offered at uniform rates by all partners. However, a few services are partly pooled. Some independents do not concur in the Bell tariffs. The non-concurring companies keep the revenues and absorb the associated costs. The Bell entities and concurring independents allocate the pooled revenues among themselves.

² Some deviations from the practice have occurred. See FCC 80-95, adopted February 28, 1980. Footnotes continued on next page

21. CCSA ("Common Controlled Switching Arrangements") provides a subscriber with a leased private telecommunications network, including dedicated lines and switches, which the subscriber can use to communicate between points on its system. CCSA subscribers can also obtain ONALs (off network access lines) which can be used in much the same manner as FX service in a distant city. Such a CCSA subscriber also receives separate bills for the "private line" and the origination and termination service at the "open end." The latter is billed at the business local exchange rate.

22. Revenues from the private line portion of FX and CCSA services that are provided by the "partnership" are included in the pool and associated expenses and investments are included in the divisions/settlements computations. Revenues from the open end service are retained by the company that provides the service and that company absorbs any associated costs. Although the open end service for interstate FX or CCSA is an interstate service, the carriers have always reported the revenues and any associated expenses and investments as intrastate revenues, expenses and investments for purposes of jurisdictional separations.

23. Carriers that do not participate in the "partnership" arrangement also offer FX and CCSA services. Local exchange carriers provide and bill open end service in connection with non-partnership offerings in essentially the same manner that the service is provided and billed in connection with "partnership" FX or CCSA. Carriers that provide the open end service also provide non-partners with a link between the telephone company's local switching office and the non-partner's switching facility. That link serves essentially the same function as the trunk connection between the local switching office and the "partnership" toll switch. Those facilities are offered as unpooled interstate services pursuant to tariffs filed with this Commission.

24. As previously noted, some local exchange carriers are presently being compensated for the origination and termination of non-partnership services that are functionally equivalent to MTS or WATS pursuant to the ENFIA agreement. Rate element 1 covers the links between a Class 5 office and the interexchange carrier's switching facility. That element is billed at the

same rate as links used for FX or CCSA service. Rate elements 2 and 3 cover the use of local exchange facilities that are used in common with local exchange services. Those rates are computed in accordance with the agreed formula.

25. Although organizations representing independent telephone companies participated in the ENFIA negotiations, those organizations did not purport to have authority to commit their members. The ENFIA agreement essentially establishes compensation arrangements for origination or termination service provided by AT&T or GTE subsidiaries. Services that are functionally equivalent to MTS or WATS are not presently offered in many exchanges that are not served by AT&T or GTE subsidiaries.

26. United Telecom recently filed tariffs for the origination and termination of services that are functionally equivalent to MTS or WATS that deviate from the ENFIA agreement formula.³

27. Thus, three different mechanisms have evolved for compensating the operator of a local telephone exchange for originating or terminating interstate and foreign telecommunications. Sometimes the local exchange carrier is compensated through the settlements/divisions process. Sometimes the local exchange carrier collects a carrier's carrier charge from an interexchange carrier. Sometimes the local exchange carrier collects a separate charge from the end user for the origination and termination service.

B. The Discrimination Problem

28. The compensation which local exchange operators receive through those mechanisms varies in a manner that does not appear to reflect actual differences in the costs of originating or terminating various services. These disparities may produce discrimination among competing interexchange carriers. Such disparities may also indirectly result in differences in end user rates which violate Section 202(a) of the Communications Act, 47 U.S.C. 202(a), by subjecting users of like services to an "unjust or unreasonable discrimination" or an "undue or unreasonable prejudice."

29. This problem was highlighted in proceedings which led to the ENFIA agreement. That agreement was

³ Similarly, Lincoln Telephone Co. attempted to charge MCI access compensation that exceeded the ENFIA formula rate. Lincoln was ordered to file a tariff for such service and to justify deviation from the ENFIA formula. *Lincoln Telephone and Telegraph Co.*, 72 F.C.C. 2d 724 (1979). A tariff purporting to comply with our order was filed on March 25, 1980.

preceded by the filing of an AT&T tariff which would have established charges for the origination or termination of MTS-WATS equivalent services that were substantially higher than the charges which were subsequently negotiated. AT&T claimed that the proposed charges for Rate Elements 2 and 3 replicate the compensation which its subsidiaries receive through the settlements/divisions process for the origination or termination of MTS and WATS services with appropriate adjustments for differences in the service provided. Carriers that would have been required to pay the charges not only challenged AT&T's claim that the charges would establish parity between MTS-WATS compensation and functional equivalent compensation, but also asserted that the tariff would create an unlawful discrimination or preference because the charges were substantially higher than the open end FX-CCSA charges. These carriers alleged that the open end FX-CCSA service is identical with the services they use to originate or terminate services that are functionally equivalent to MTS or WATS. The proposed ENFIA tariff was withdrawn before we were obliged to address that contention.

30. During the subsequent negotiations organizations representing some independent telephone companies insisted that the open end FX-CCSA compensation arrangements should be changed to enable independents to receive the same compensation for open end FX-CCSA service which they receive through settlements for originating or terminating MTS and WATS telecommunications. Although the parties to the ENFIA agreement did not adopt any new arrangements for open end FX-CCSA, they did agree that this Commission should address that problem in an expeditious manner. The *Supplemental Notice* in this proceeding was designed in part to respond to that request.

31. The history of the ENFIA negotiations demonstrates that it would be impossible to prescribe any charges for the origination and termination of services that are functionally equivalent to MTS or WATS without determining the appropriate relationship among origination and termination services for MTS-WATS, functional equivalents of MTS-WATS, and FX-CCSA open ends. That history also indicates that there is no basis for assuming that the present relationship is appropriate.

32. Moreover, the discrimination problem is not confined to differences in compensation which is received through different compensation mechanisms.

Footnotes continued from last page
An FX subscriber currently receives the same credit which a local subscriber would receive if the local subscriber elected not to use a carrier-provided telephone.

The "partnership" carriers have agreed to use the *Separations Manual* which this Commission prescribed to allocate investments, expenses and revenues among jurisdictions for rate regulation purposes in order to determine the investments and operating costs of each partner that are allocable to pooled interstate services. The *Separations Manual* sets forth a combination of formulae to allocate exchange plant costs between interstate and intrastate jurisdictions. Different formulae are used to allocate message and private line service. These formulae were not designed for the purpose of allocating costs among the various interstate services. The formulae were designed to produce aggregate equity between interstate and intrastate users.

33. This Commission concluded in *AT&T Co.*, 74 F.C.C. 2d 1, 36-40, that we should require AT&T to use the message/private line results produced by the *Separations Manual* formula on an interim basis for the purpose of allocating exchange plant costs among interstate services. We took that action not because we believed that interim solution would produce optimal results. Rather, we adopted that interim solution because we concluded that it will produce a closer alignment of costs and rates than any other exchange plant allocation method that can be implemented without changes in current accounting practice.

34. The interim solution will not eliminate any discrimination between message services as a whole and pooled private line services as a whole which results from the use of *Separations Manual* formulae for the allocation of exchange plant costs. Elimination of such discrimination requires the development of new allocation procedures in which formulae are applied uniformly for all services to those plant elements which are used basically the same way by all services and applied selectively to specific services for those plant elements which are used differently for different services.

35. The industry model comments indicate that virtually all the participants who have discussed this subject share our perception of the problem. There appears to be a broad consensus that a new formula must be developed for allocating interstate exchange plant costs among all interstate services provided by all carriers which produces an allocation more closely aligned with the costs of originating or terminating such services. There also appears to be a broad consensus that this Commission can and

must prescribe the necessary arrangements.

C. Procedures for Solving the Problem

36. The broad consensus does not extend to the steps which should be taken to produce origination-termination compensation arrangements that do not discriminate among competing interexchange carriers and do not discriminate among end users of different interstate or foreign services. A variety of different solutions has been proposed in the comments that have been filed in this proceeding.

37. Many participants contend that the divisions/settlements process should be eliminated and carrier's carrier charges should be used as the sole mechanism for compensating exchange carriers for the origination or termination of interexchange services. That approach parallels various legislative proposals that are currently being considered by Congress. Such charges are commonly known as "access charges" because an interexchange carrier would compensate an exchange carrier for obtaining access to the local exchange facilities to originate or terminate an interexchange telecommunication.

38. The present statute does not empower us to establish access service compensation arrangements for all interexchange services. Any arrangement we prescribe necessarily must be confined to interstate and foreign communications. That prescribed arrangement could be used as a model for intrastate interexchange access service compensation arrangements if the states chose to follow it.

39. Prescribed access charges could not serve as a complete substitute for the divisions/settlements process. If access charges are used to compensate carriers for the use of local exchange facilities, some arrangement would still be necessary to allocate revenues when two or more interconnected carriers provide portions of the interexchange facilities. We will assume for purposes of this Notice that the divisions/settlements process and AT&T's "other common carrier" (OCC) tariffs will be used for that purpose.⁴ This phase of this proceeding will be limited to compensation arrangements for the use of exchange plant facilities.

40. Although the Congressional hearings indicate that proposals to use access charges as the sole mechanism for compensating exchange carriers for

the origination and termination of interexchange services have not provoked much opposition, the industry model comments indicate that some carriers are not enthusiastic about that idea. Several carriers have suggested that the divisions/settlements compensation mechanism be retained for some services and that the access charge mechanism be used for other services. Some carriers would use the divisions/settlements compensation mechanism for all partnership services that are presently included in the pooling arrangement. Other carriers including AT&T would remove some services from that arrangement and use an access charge mechanism for depooled services.

41. We have tentatively decided to use a combination of mechanisms which differs from any of the suggested plans. Part III will describe that tentative plan. Basically, the plan prescribes access charges for four categories of interstate service (MTS/WATS, FX/CCSA access, private line and OCC-ENFIA) that will determine the amounts interexchange carriers will pay for the use of exchange plant to originate and terminate interstate traffic. The total amounts to be paid to exchange carriers for the use of their plant by interstate and foreign services will be determined by existing divisions/settlements procedures and should remain essentially unchanged.

42. Thus, under our tentative plan the access charges described below will be used to determine the compensation interexchange carriers will pay for access service. However, the amounts received by carriers for the use of exchange plant for interstate service will not depend upon the access charge, but will continue to be allocated from a pool based upon the carrier's pro rata share of all investment and expense in plant devoted to interstate service. Thus, we will require that the access charge revenues be pooled in much the same manner that "partnership" interstate revenues are pooled under the present contractual arrangement. The pooled revenues would be reallocated among the exchange carriers in order to enable each exchange carrier to receive its interstate exchange plant costs and a share of the residue that reflects its pro rata share of the interstate exchange plant investment.

43. As noted above, the end result should not be substantially different from the results that are produced by the current settlements/divisions process. However, implementation of this plan would require some modification of that process. The pooled access charge revenues (i.e. the "exchange pool")

⁴ AT&T uses the term "other common carrier" to denote non-telephone company carriers such as specialized common carriers, domestic and international record carriers and domestic satellite carriers.

would be distinct from the interexchange pool. The pooled access charges would include some services such as ENFIA that are not pooled now. The pool would include exchange carriers in Alaska, Hawaii and overseas territories or possessions that might not be described as full partners in the existing contractual arrangement.

44. The tentative plan we have described does not disturb the interexchange portion of the partnership arrangement. We do not believe that it is necessary to do so in order to resolve access service compensation problems. If the interexchange arrangements create problems, those problems can be addressed in the later phase of this proceeding dealing with other issues.

45. We recognize that the tentative plan would alter the existing divisions/settlements mechanism in a more substantial way than some participants believe to be necessary and in a much less substantial way than other participants believe to be necessary. Southern Pacific has consistently maintained that the same mechanism should be used to determine the compensation that each interexchange carrier pays because the use of multiple mechanisms for the same purpose is likely to result in discrimination among interexchange carriers. We have concluded that Southern Pacific's observation is probably correct and that intended or unintended discrimination can best be minimized by using the same mechanism to determine the amount that each competing interexchange carrier pays.

46. The access charge plan proposed here would require a pool to be administered by an existing carrier bureaucracy rather than a governmental agency. Some of the participants in this proceeding have contended that this is an undesirable situation which would nullify our attempts at evenhandedness. We do not believe, however, that the creation of new institutional arrangements is feasible at this time. In this phase of this proceeding we are attempting to move forward to obtain an intercarrier pricing structure which would be less likely to result in discrimination among carriers or end users than that which is presently in place. Our tentative plan is designed to interfere with existing institutional arrangements to the minimum extent necessary to achieve those goals.

47. At the present time, AT&T occupies a central role in the administration of the divisions/settlements process. It has developed and administers a complicated set of Division of Revenue (DR) procedures which are used to allocate interstate

revenues, investment and expenses among its own operating companies (in addition to its Long Lines Division) and through them to the various independent telephone companies. Given the scope and complexity of the settlements/divisions process, its administration requires the expenditure of substantial resources both in terms of money and trained personnel. The bureaucracy which the carriers have created to administer settlements and the DR process is probably larger than this Commission's Common Carrier Bureau. The accounting staff of that Bureau would have to be multiplied severalfold if it were to perform the same functions. Plainly, this Commission could not presently undertake to perform the divisions/settlements functions now performed by AT&T and the independent telephone companies and, insofar as we are aware, there is no other governmental entity or other "neutral" party with the resources or the charter to perform such a function. We have accordingly decided to use existing institutions to implement prescribed access service compensation arrangements. That decision does not foreclose the creation of new institutional arrangements in other phases of this proceeding. The initial prescribed access service compensation arrangements can be modified at a later date to fit any new institutional arrangements.

48. The tentative plan does, of course, prescribe a pooling arrangement for access service compensation. We do not believe that the pooling of access service revenues is likely to produce any anticompetitive effects. Local exchange facilities are presently provided exclusively on a monopoly basis and carriers providing such service do not compete with each other in the provision of that service.⁵ We recognize that this situation may change with time as improving technology (e.g. direct satellite, cellular radio) makes exchange service competition more economically feasible. However, these changes will not occur in the short run. The expiring ENFIA tariff, the FX-CCSA "open end" access problem, the *Lincoln Telephone* case, the United Telecom tariff filing, and other recent developments all make it apparent that we must proceed immediately to develop nondiscriminatory exchange access charges for all interstate services including services provided by the OCCs.

⁵ Such carriers are potential competitors in the provision of customer premises terminal equipment. However, our decision in the *Second Computer Inquiry* will result in the exclusion of customer premises terminal equipment from access services.

49. We further recognize that efficiency incentives might be created by prescribing access charges for classes of exchanges and by prohibiting the pooling of such access charge revenue among carriers. In other words, each carrier would receive from the access charges paid for use of its exchange plant. An arrangement of this kind, however, would almost certainly require a classification scheme for exchange plant based on cost. We do not believe that it would be possible to implement such a plan quickly. Considerable time and effort would be required to develop classifications that would identify exchanges that should have comparable costs under equally efficient management. Even if such categories could be established quickly, the development of data that would be required to prescribe multiple access charge schedules would delay the implementation of the initial access charges. As already noted, we believe it imperative that we move forward immediately to end discrimination amongst interstate services. Accordingly, in the interest of dispatch, we are tentatively proposing uniform nationwide access charges and an exchange revenue pool. Nevertheless, we might substitute a different approach which does not incorporate nationwide charges or a nationwide revenue pool in prescribing access charges at a future time.

50. Many participants have suggested that changes in the *Separations Manual* should or must either precede the prescription of new access service arrangements or be implemented simultaneously with a change in access service compensation arrangements. Some have suggested that the prescription of access service compensation arrangements be deferred until the *Separations Manual* has been revised to incorporate a new formula for allocating exchange plant costs among interstate services. Others have suggested that a Joint Board be convened to develop recommended *Separations Manual* changes and access service compensation arrangements at the same time.

51. We have already concluded that *Separations Manual* provisions relating to exchange plant allocations should be reexamined in the light of our decision in the *Second Computer Inquiry*. The comments in this proceeding have suggested a number of questions with respect to the jurisdictional separation of exchange plant costs which would warrant examination in the absence of our actions in the *Second Computer Inquiry*. We have accordingly decided to

institute a proceeding to revise the exchange plant allocation provisions of the *Separations Manual* and expect to issue a Notice of Proposed Rulemaking instituting that proceeding in the near future.

52. However, we have decided that we can and should proceed to prescribe new access service compensation arrangements for interstate and foreign telecommunications independently of that proceeding. It is not unlikely that the *Separations Manual* proceeding will proceed at a slower pace than the proceeding to prescribe access charges. If this happens it would not be necessary to defer implementation of the access charge prescription. Aggregate interstate exchange plant costs can be derived from the present separations procedures and those aggregate costs can be allocated among interstate and foreign services in a manner which differs from the procedures that were used to determine aggregate interstate exchange plant costs.

53. The argument that exchange access service compensation arrangements cannot be changed without *Separations Manual* changes confuses aggregate cost allocations between interstate and intrastate services with cost allocations among interstate services. Total interstate access charge revenue requirements for all interstate or foreign telecommunications services must be based upon the aggregate exchange plant costs allocated to interstate or foreign services through the jurisdictional separations process. Any other procedure would either permit carriers to recover the same costs in two different jurisdictions or preclude them from recovering some costs in any jurisdiction. However, there is no misallocation between the state and interstate jurisdictions if aggregate interstate exchange plant costs are allocated among interstate services in a manner that differs from the message and private line allocations that were used to arrive at an aggregate allocation between interstate and intrastate services.

54. Inasmuch as we have decided to prescribe access charges in accordance with a formula that can be used to allocate any aggregate interstate exchange plant costs which may be determined under any *Separations Manual* formula, there is no reason to refer access charge questions to a Joint Board. The origination and termination of interstate or foreign communications is interstate or foreign service. This

Commission has exclusive jurisdiction to regulate charges for such services.

55. Finally, we recognize that the effort to prescribe access charges in this proceeding is closely related to our undertaking in Docket 79-245 to prescribe a manual and cost allocation procedures for AT&T (see *AT&T* 73 FCC 2d 679 (1979)). The final allocation of costs to AT&T's various interstate and foreign services will be determined in Docket 79-245. For example, in that docket we will consider how AT&T's private line access charge costs should be assigned to the various private line services. Access charges for both message and private line services might conceivably also have to be adjusted somewhat to meet certain methodological requirements of Docket 18128. Nevertheless, the access charges computed in this proceeding will provide a basis for allocating AT&T's exchange costs and establish a firm point of departure in establishing a cost allocation manual.

III. The Access Charge Plan

56. We have concluded that access service categories must reflect functional differences in the use of exchange plant facilities in order to develop access charges that do not subject carriers or end users to unreasonable discrimination. End user services that are not functionally equivalent may use exchange plant in the same manner and end user services that are close substitutes from the users' perspective may use exchange plant differently. Any functional access service categories will necessarily have to be changed from time to time to reflect changes in the use of exchange plant facilities. The access charge scheme should not force access services into a particular mold, it should reflect the mold that happens to exist at a particular time.

57. Our tentative plan is based on the premise that existing services will not be changed before the initial prescribed access charges become effective. We have tentatively concluded that the existing services fall into four basic categories. The first three appear to have some functional differences and the fourth category may be sufficiently distinct to warrant rate differentials. For example, differences in quality of service may warrant differences in charges. It may be appropriate to expand or contract those categories to reflect existing differences or similarities which are not reflected in these four categories. We encourage interested persons to address that question.

58. Our four tentative access service categories are as follows:

1. *MTS/WATS*. If it can be shown that the "closed end" of a WATS access line differs significantly from MTS access and that the cost of this difference can be approximated, we will consider separating MTS and WATS into separate categories and requiring separate charges.⁶

2. *FX and CCSA Access—so called "open end" of an FX line or CCSA—ONAL*. The closed end of an FX line or a private access arrangement for a CCSA system will receive the same charge as private line access.

3. *Private Line*. All dedicated access arrangements will be treated as part of a single category for purposes of this proceeding. As already noted, further disaggregation of private line access charges may conceivably be required in Docket 79-245.

4. *OCC-ENFIA*. The access charges in this category would apply only to ENFIA-type services provided by the OCCs (i.e., services offered by non-partners that are functionally equivalent to MTS or WATS). OCC FX service access and OCC private line service access will be subject to the same charges as telephone company services in these categories except insofar as some adjustment may be needed to reflect differences in the way these facilities are provided to telephone companies, on the one hand, and the OCCs, on the other hand.⁷

59. Before proceeding to describe the computations necessary to formulate access charges, we believe it will be helpful to review the broad outlines of the plan and some of the assumptions upon which it is based.

A. The access charge plan proposed here leaves largely intact the existing settlements/divisions pooling arrangements. Exchange carriers will continue to receive reimbursement for the use of their plant by interstate services through the separations pool as implemented by the Bell DR process and existing settlement arrangements. Interstate carriers who access local exchanges to originate or complete interstate calls will continue to pay monies into the settlements divisions pool. However, they will pay based upon the access charge described below. The total access charges will be computed to yield approximately the

⁶ We will also consider separating origination and termination if factors such as the use of 10-digit or 7-digit switching warrant separate categories.

⁷ It may be possible to include FX-CCSA and OCC-ENFIA in a single category. However, differences may exist that would warrant different charges.

same revenues to the exchange carriers as they now receive.

B. The access charge plan proposed here does not affect the existing separations procedures contained in the *Separations Manual*. As noted above, a review of the current *Separations Manual* allocations will be undertaken at the Joint Board proceeding which we intend to convene in the near future.

C. The access charge plan proposed here continues to rely upon AT&T to perform its traditional role as a "clearing house" for the settlements/divisions process. In fact, it will remain for AT&T to compute the actual access charges based upon the instructions provided below.

D. The access charge plan proposed here will require the collection of additional data so that costs can be allocated to the separate access service categories listed above. Where data requirements can be made less burdensome without substantially lessening the accuracy of the computations required to determine access charges, we except that the participants will inform us in their comments as to precisely how this can be accomplished. As is the case with the *Separations Manual*, we will permit "short cuts" where practicable and where their application produces substantially the same separations results as would be obtained by the use of more detailed procedures." (*Separations Manual*, Section 11.15). We also recognize that even with the additional data we are requesting, we cannot expect perfection. There must always be some compromise between the need for detailed information and the cost or availability of additional data. Our goal in implementing the proposed access plan is to achieve an acceptable balance in this respect and to obtain, as best we can, a parity which eliminates possible discrimination between OCC and AT&T services, and amongst the different AT&T services, in obtaining interstate access.

E. The access charge plan proposed here assumes that exchange plant settlements would be accomplished monthly and would be coordinated with interexchange pool settlements. Our tentative plan does not contemplate that this Commission would prescribe detailed rules for accomplishing that coordination. We would assume in the absence of contrary evidence that the participating carriers can adequately adapt the existing machinery through voluntary agreements.

F. The access charge plan proposed here assumes that local exchange service utilized at the "open end" by FX and CCSA subscribers is interstate

service subject to our jurisdiction. See, *New York Telephone Co.*, FCC 80-95, released March 12, 1980. Although the Commission had not previously asserted jurisdiction over local exchange service when such service is provided in connection with interstate FX and CCSA service, we have tentatively decided (for reasons described below) to do so in this proceeding and to require an interstate access charge for FX and CCSA service.⁸

60. For purposes of developing an access charge we would define "exchange plant" as plant used to furnish both local and toll service. This definition appears to be identical with that found in the DR Glossary which describes exchange plant as Plant used primarily to furnish local (exchange) services and consisting of manual and dial local switching equipment, trunk plant, subscriber lines, station equipment, land and buildings. Of course, exchange plant is also used in connection with furnishing toll services.

The *Separations Manual* defines "exchange circuit plant" to be

A combination of (a) exchange outside plant, (b) exchange circuit equipment, including associated land and buildings and (c) station equipment.

This definition differs somewhat from the definition proposed here (and presumably from the definition in the DR Glossary as well) because Category 1.2 of the Exchange Outside Plant—Exchange Trunk Outside Plant Excluding Wideband—is described in § 23.212 of the *Separations Manual* to include "toll connecting trunks." Since these trunks presumably do not carry exchange traffic, they should, consistent with our definition of exchange plant, be excluded (along with any associated indirect investment or expense) from the computation of exchange access charges. If the precise segregation of toll connecting trunks is not feasible, care should be taken to ensure that no portion of the access charge applied to the OCCs or to other users—whether for private line, FX-CCSA "open end" or ENFIA type services—results in billing them for facilities which they are paying for in other tariffs or which they do not receive at all.

61. In presenting the tentative access charge plan we have noted areas which we believe to be of particular difficulty and specifically request the comments of interested persons. The participants are, of course, free to comment on any

aspect of the plan and to suggest improvements or alternatives which they deem appropriate.

62. The access charge is to be computed as follows:

Step 1 Distribution of Direct Investment in Exchange Plant Assigned Interstate

A. Investment in Subscriber Line Outside Plant (Category 1.3), station equipment, non-traffic sensitive central office switching equipment (Category 6) and subscriber line exchange circuit equipment (Category 8.1) should be distributed to the access service categories (MTS/WATS, FX/CCSA "open end," private line and OCC-ENFIA) on the basis of holding time minutes of use.⁹

We recognize that all the access service categories do not use the plant elements described above in exactly the same way and that, in particular, private line and message services may use non-traffic sensitive central office switching equipment or circuit plant differently or to a different extent. We are unable to determine, however, how costs are affected by the differences in the way in which such plant is used. For example, we do not know to what extent private line service uses less non-traffic sensitive switching or circuit equipment in different types of switches (electronic, crossbar, step-by-step, panel) or switching arrangement than message and what cost savings vis-a-vis message service are achieved thereby. Moreover, the savings, if any, for private line switching might be offset by the cost of "hard wiring" these lines into place or otherwise providing special arrangements or treatment for private lines. Indeed, it is conceivable that station, loop and central office costs for certain private lines, or even for the private line category as a whole, might be lower than for message service.

63. Private lines can also be used to access local exchanges for the purpose of originating or completing long distance calls. Although private lines are generally described as dedicated, unswitched, point-to-point facilities, they frequently (perhaps even typically) originate or terminate at a private branch exchange (PBX) facility controlled by the subscriber. With a PBX, the private line subscriber has the capability to "patch" an interstate call to off-network destinations in the local exchange. At the local exchange such a call is indistinguishable from a local call, even though the call originated in

⁸ That tentative decision does not have any immediate effect upon the regulatory status of FX-CCSA open end rates, revenues, investments or expenses.

⁹ Customer premises equipment will be excluded if the access charge does not become effective prior to terminal equipment deregulation.

another state.¹⁰ The off-network connection through the subscriber's PBX utilizes the telephone operating company's local exchange facilities in a manner similar to switched services, but somewhat more extensively. Thus, an interstate call going off-net from a local PBX would have to traverse two subscriber loops, would use station equipment at both ends of the off-net portion of a call, and would be switched from the line side to the trunk side of one local switch and then back from the trunk side to the line side probably at another local switch. While we believe that such off-net use of exchange plant by private lines is extensive, we are not aware of any statistics or measurements which would enable us to quantify such use or to assess the costs which should be attributed to private line service because of off-net local access. It appears reasonable to assume that such additional costs are sufficient to offset any cost savings in bypassing the local switch.

64. These differences between the various service categories, however, would appear to be far less significant than the basic similarities in their use of the facilities and equipment to be allocated in Step 1A. In all cases, access is accomplished through the use of local central office facilities, subscriber loops and station equipment. Given these similarities, and given the fact that we cannot quantify any cost differences between the different access service categories, we believe that allocating the investment in Step 1A on the basis of holding time minutes is the most reasonable solution available to us in accomplishing our goal of achieving approximate parity among the various interstate services.¹¹ Before adopting a final access charge plan, this Commission will, of course, consider any evidence presented by the participants in their comments that would demonstrate that the different access service categories use the plant allocated in Step 1A differently; that the costs associated with such differences can be quantified; and, that these costs differences should be taken into account in our access charge allocations.¹²

B. Investment in traffic sensitive local dial switching equipment (Category 6) should be distributed entirely to the

message access service categories (MTS/WATS, FX-CCSA "open end" and OCC-ENFIA) on the basis of relative dial equipment minutes (DEMs), as defined in *Separations Manual* § 24.83, except that if any such investment is presently assigned directly to private line service in accordance with DR instructions such investment should continue to be assigned directly to private line.¹³

C. Investment in that portion of exchange trunk outside plant used jointly for exchange and toll message service (i.e., the jointly used plant in Category 1.22) and related exchange trunk circuit equipment (Category 8.12) should be distributed to the message access service categories on the basis of relative minutes of use. As noted above, plant used exclusively for toll service is not within exchange plant, as we have defined that term, and such plant in Category 1.22 and Category 8.12 should be assigned to the interexchange portion of interstate service.

D. Investment in exchange trunk outside plant used for interstate private line service (Category 1.24) and any related circuit equipment should be assigned directly to private line service. However, consistent with Step 1C, outside plant facilities running between local central offices and toll offices should be excluded and considered as interexchange plant.

E. All other direct plant investment (including central office Categories 1, 2 and 4) should be distributed among the access service categories based on the same factors which are used in the *Separation Manual* to allocate the particular plant category or subcategory between state and interstate jurisdictions. If the *Separations Manual* factors cannot be used for this purpose, investment should be distributed based on *Separations Manual* principles (as implemented and interpreted by AT&T in its DR instructions and as used by AT&T to prepare its 1978 Central Submission filed with this Commission) or, alternatively, on the basis of relative minutes of use. Here again, in making these computations, care should be taken to exclude direct investment unrelated to OCC exchange access. We will require that AT&T include in its comments the allocation factors which it intends to use in distributing investment in Step 1E.

¹³ Some services classified as private line are, in fact, switched (e.g., CCAS, SCAN) and some traffic sensitive switching equipment may be directly assigned to these private line services.

Step 2 Distribution of Remaining Investment and Expenses for Exchange Plant Assigned Interstate

65. The investment and exchange plant not distributed in Step 1 (e.g., land and buildings, furniture and office equipment, vehicles and other work equipment, organization, franchises, patent rights, plant under construction, materials and supplies, cash working capital) and the expenses related to the provision of exchange access should be distributed to the exchange service categories based upon the methodology employed by AT&T in developing its restated FDC 7 results for its 1978 Central Submission (submitted February 8, 1980) and on the factors contained in Volume 28 of the 1978 Central Submission.

66. It is our tentative view that the measurements required to distribute direct investment in Step 1 and indirect investment and expense in Step 2 should appropriately be made on a study area basis consistent with the current practice.¹⁴ The study area results would then be summed to obtain nationwide investment and expense totals.

67. In making the investment and expense allocations required in Step 2, we believe that such investment and expense that is not required to provide service for both the OCCs and AT&T should be excluded from the definition of exchange plant for the purpose of computing access charges. For example, we have tentatively concluded that revenue accounting expenses allocated to interstate services and other expenses and investments allocated to interstate services through the use of revenue accounting expense factors should not be included in exchange plant for the purpose of computing access service compensation. Inasmuch as local exchange carriers do bill end users of most partnership interexchange services and do not bill end users of interexchange services offered by non-partners, billing and collection costs must be isolated from the use of the local exchange facilities for purposes of establishing access service compensation arrangements.¹⁵ Revenue accounting expenses are essentially end user billing and collection functions. Under the present *Separations Manual* accounting costs associated with access service are apparently allocated to the connecting company relations portion of commercial expenses. It will be

¹⁰ The patch-through capability can be manual, through an operator located on the subscriber's premises, or it can be accomplished automatically on some of the later model PBX machines.

¹¹ As noted in Step 1B below, we are not requiring any portion of traffic sensitive switching plant to be allocated to private line service.

¹² After the prescribed access charges become effective, we may conduct further rulemaking proceedings to introduce refinements.

¹⁴ Study area results should include the relevant information for the independent telephone companies.

¹⁵ The initial arrangements would have to be revised if local exchange carriers subsequently provide billing and collection services to non-partners.

necessary to change some accounting practices to reallocate some expenses related to the billing of carrier's carrier charges to non-partners from revenue accounting to connecting company relations.

68. Similarly, we have tentatively concluded that the sales and advertising portion of commercial expense and any expense related to license contracts should be excluded in computing access charges since these factors do not serve non-partnership carriers in the same way as they benefit the participants in the partnership. On the other hand, we believe that there may be additional expenses—specifically the expense of administering the access charge plan—which should be included within exchange plant.

69. We request interested persons to comment on any investment or expense adjustment that may be necessary to achieve equality of treatment between partnership and non-partnership carriers.

Step 3 Computation of Preliminary Exchange Access Revenue Requirement by Service Category

70. The exchange access revenue requirement for a service category is equal to the rate base investment distributed to the category times the prescribed rate of return plus the expenses assigned to the category. The investment and expenses are distributed as explained in Steps 1 and 2. We have tentatively concluded that the rate of return which should be used to compute revenue requirements is the interstate rate of return for AT&T (currently 9.5 percent). Although we recognize that the cost of capital for some exchange carriers may be higher than for AT&T, we see no practical alternative to using AT&T's rate of return at this time. AT&T dominates the telephone industry and, under any test, provides far more exchange service than all of the other carriers combined. If the Commission allows access charges to be computed at a rate of return higher than that prescribed for AT&T, access charges would be excessive for the bulk of exchange service being provided. If the Commission allows a different rate of return to be used for each exchange carrier, the computation of access charges would become far more difficult (and perhaps totally impossible) and would undermine our goal in this proceeding of establishing uniform nationwide access charges. A variable access charge, moreover, would appear to lead to deaveraged nationwide toll rates with a separate rate being charged for each exchange origination or destination.

71. We will consider nonuniform access charges and the possibility of deaveraging in subsequent access service arrangements. Our tentative view is that the need for immediate action makes it impossible to take such a step at this time. However, interested persons are encouraged to express their positions on this point in their comments.

Step 4 Adjustment of the Revenue Requirement for Each Access Service Category To Reflect the FX-CCSA Credit

72. The revenue requirement obtained for each service category must be adjusted to reflect the fact that FX and CCSA subscribers pay an intrastate (B-1) charge for access pursuant to state tariffs. As already explained in our recent order in *New York Telephone Co., supra*, FX and CCSA "open end" access must be considered as part of an end-to-end interstate service. Under ordinary circumstances, the charges for FX and CCSA "open end" access would be tariffed interstate. However, for reasons addressed in *New York Telephone*, we have not asserted our jurisdiction over FX and CCSA exchange access where the rates for exchange service charged to FX and CCSA users are the same as those charged local customers. Thus, at the present time, rates for FX and CCSA access are tariffed intrastate and the exchange minutes of use for FX and CCSA access are not considered for separation purposes as interstate minutes. In the interests of dispatch, we are willing to allow this rather anomalous situation to continue until the FX/CCSA situation can be fully resolved through *Separations Manual* revisions.

73. To avoid double payment by FX and CCSA customers, however, the local exchange service charges paid by FX and CCSA users in the foreign exchange must be deducted from the interstate access charges computed in this proceeding. We will, therefore, require that the total local exchange charges paid be deducted from the preliminary FX/CCSA revenue requirement computed in Step 3 and that the amounts so deducted then be added to each access service category based on the relative holding time minutes.¹⁶

¹⁶ This computation might be expressed mathematically as follows:

Let TB_i = total B-1 charges paid intrastate;
 HTM_i = holding time minutes for access service category i , where i indexes the four categories; and
 $THTM$ = total holding time minutes (equal to the sum of the HTM_i 's).

Then for each access service category i , the amount to be added is: $TB_i HTM_i / THTM$

74. Alternatively, we might exercise our Section 201(a) power to order carriers to provide FX and CCSA services to end users at end-to-end joint rates which will replace the separate charges for the "private line" and the open end portions. If *Separations Manual* revisions which include some investments and expenses attributable to open end FX-CCSA access service in the interstate rate base and expenses have not been adopted at the time access service compensation arrangements are prescribed, an interim accounting adjustment would be necessary to reallocate some investments and expenses from intrastate to interstate services. That adjustment will be designed to avoid altering the cost burdens that are imposed upon intrastate services other than open end FX/CCSA and might be accomplished by using the ratio between open end FX/CCSA billing and total intrastate billings in each state to determine the portion of exchange plant investments and expenses in each state that would be reallocated to interstate services.

75. Whatever course is adopted it remains our view that any interim adjustments should be designed to avoid increasing or decreasing revenue requirements for *bona fide* intrastate services. This is our view because prior decisions adopting a particular combination of allocation formulae for jurisdictional separations purposes were based upon judgment that the combination of formulae would produce aggregate equity between intrastate and interstate users. Section 410(c) was subsequently enacted in order to create a consultative mechanism which must be used in adopting changes that would alter the aggregate allocations in a manner that would favor either interstate or intrastate users. That purpose would be frustrated if we adopted an interpretation of the present *Separations Manual* which changes the results produced by accounting practices that were in effect at the time of the last *Separations Manual* revisions.

76. Participants in this proceeding who contend that it would be more equitable to apply weighting factors to open end FX/CCSA usage that would shift some burdens from intrastate users to interstate users have generally argued that such changes should be effectuated through Joint Board procedures. Such participants have implicitly acknowledged that it would not be proper to accomplish that result through interim changes in accounting practices.

77. We request interested persons to comment and present their views as to the most appropriate way to handle the FX/CCSA access problem pending a more definitive resolution.

Step 5 The Computation of Access Charges for Each Access Service Category

78. Access charges for the message service categories should be computed by dividing revenue requirements for the service category by total holding time minutes of use for the category to obtain a charge per holding time minute. An access charge for the private line category should be computed by dividing private line revenue requirements by the total number of lines to obtain a monthly charge per private line.

79. We have tentatively concluded that the computations described herein should be undertaken monthly. The procedure we have in mind would parallel the existing divisions/settlements process. Thus, access charges for each service category would be estimated monthly and paid on a current basis. Final adjustments would then be made several months later when the necessary data could be gathered and processed to determine the precise access charge.

80. We would, however, consider as an alternative, procedures under which access charges would be computed for a definite (perhaps 6 months or a year) or indefinite future period. Under such an arrangement the per minute or per line access charge would remain in effect until replaced by a subsequent charge.

81. In either event access charges would be computed on the basis of nationwide average data for purposes of determining the charges paid by or allocated to interexchange carriers. The receipts from the access charge pool that each exchange carrier receives would be computed by reallocating the pool on the basis of each exchange carrier's exchange plant investments and expense assigned interstate.

IV. Comment Filings and Ordering Clauses

82. We are not ordering or requesting that carriers or others gather data to implement the plan described in Part III at this time. We expect to issue a further order which will adopt a final plan for access service compensation arrangements. We may make substantial revisions in the tentative plan described in this Notice in light of the comments received pursuant to this Notice and any other information that may be developed by our staff.

83. The comments which are filed in response to this *Second Supplemental Notice* should be directed to access service compensation questions. Comments which relate to the aggregate allocation of costs and investments between interstate and intrastate services should be reserved for the separate Joint Board proceeding which we will be instituting shortly.¹⁷ Comments which relate to other issues encompassed within the *Supplemental Notice* should be reserved until we determine which, if any, of those issues warrant further comment in this proceeding. That determination will probably be expressed in a Third Supplemental Notice.

84. Accordingly, it is hereby ordered, That the invitation to file requests for information with the Chief of the Common Carrier Bureau is rescinded.

85. It is further ordered, That the invitation to file replies to the industry model comments filed herein on March 3, 1980, is rescinded.

86. It is further ordered, That AT&T will include in its comments the allocation factors which it would use on Step 1E if we adopt our tentative plan.

87. It is further ordered, That interested persons may file comments relating to arrangements to compensate exchange carriers for the use of local exchange facilities to originate or terminate interstate or foreign telecommunications on or before July 31, 1980, and may file reply comments relating to that subject on or before September 15, 1980. Pursuant to the procedures set forth in § 1.51(c)(1) of the Commission's Rules (47 CFR 1.51(c)(1)), an original and nine (9) copies of all filings shall be furnished to the Commission. All comments received in response to this Notice will be made available for public inspection in the Docket Reference Room in the Commission's offices in Washington, D.C. In reaching its decision, the Commission may take into consideration information and ideas not contained in the comments, provided that such information is placed in the public file, and provided that the fact of the Commission's reliance on such information is noted in the Order.

88. It is further ordered, That the Secretary shall cause this *Second Supplemental Notice* to be published in the *Federal Register*, and that this proceeding remains subject to further order by the Commission.

¹⁷ However, participants may wish to comment upon interim accounting practices for open end FX-CCSA services in this phase of this proceeding.

Federal Communications Commission.¹⁸
William J. Tricarico,
Secretary.

Separate Statement of Charles D. Ferris,
Chairman

April 9, 1980.

Re: Second Supplemental Notice of Inquiry
and Proposed Rulemaking in the Matter
of MTS and WATS Markets Structure

Just two days ago we freed the most rapidly growing and dynamic communications markets from needless regulation in our *Final Decision* in the *Second Computer Inquiry* (Docket 20828). Today we take another giant step in the evolution toward competitive communications markets by starting a proceeding to create a fair system to pay local telephone exchange carriers for the origination and termination of interstate telephone calls.

Robust competition in enhanced telecommunications service will emerge from our decision Monday in the *Second Computer Inquiry*. Today we ensure that an important basic building block for those newly competitive markets will be fairly priced for all competitors.

Reimbursement of local telephone companies for their role in providing interstate services is a major unsettled issue resulting from the introduction of interstate competition in telecommunications services. Developing a solution to this problem will benefit ratepayers and competitors alike.

Future ratepayers will be better off because customers who today use services that do contribute to local exchange costs shoulder an unfair burden. Costs will be borne more equitably where all services contribute.

Competitors will also be better off because for the first time it will be possible to insure that all carriers are treated equitably.

This is the essential first step in what will undoubtedly be a long and complicated process. We must also revise the present separations and settlements scheme—not a simple task. It is a process in which all interested parties—the FCC, state agencies, carriers and consumers alike—have a common interest in arriving at a fair and equitable access charge. I am confident that the formulation of such a charge will be expeditiously attended to by our staff and the representatives of these parties.

Indeed, I think much of the work necessary to arrive at a fair access charge has been done. Many parties, among them NTIA and representatives of telephone companies serving rural areas, have been examining these issues as part of formulating their positions on various legislative proposals. Our staff has also been working on this issue. Thus, I am confident that we are well on the way to achieving a consensus on a fair and equitable charge.

The problem of providing competitors with non-discriminatory physical access to local exchange facilities is also ahead of us. I hope we can move swiftly on all these fronts so

¹⁸ See attached Separate Statement of Chairman Ferris and Concurring Statement of Commissioner Fogarty in which Commissioner Jones joins.

that consumers can begin to reap the benefits that solutions to these problems will bring.

I am committed to moving in do-able steps to a truly competitive market structure in telecommunications. To get there from here, the FCC has shown a commitment to identifying and resolving interrelated issues in contexts that recognize their relationship, but at the same time are not so broad as to be doomed.

I also believe that an open-minded attitude about the possibility of future alterations as circumstances in these transitional markets change is an honest and positive regulatory posture in as dynamic a market as telecommunications. An access charge is a critical element in accomplishing that transition to a more competitive market.

**CONCURRING STATEMENT OF
COMMISSIONER JOSEPH R. FOGARTY IN
WHICH COMMISSIONER ANNE P. JONES
JOINS**

In Re: Second Supplemental Notice of
Inquiry—MTS/WATS Market Structure

I believe that the tentative access charge plan set forth in this Second Supplemental Notice and Notice of Proposed Rule Making represents a very sensible and innovative approach. It develops a viable institutional arrangement for a competitive interstate telecommunications environment. It establishes an apparently nondiscriminatory rationale to be applied to the various interstate providers who use local exchange facilities. By establishing nationwide averaged access charges for each of the four classes of service, and by working within the framework of the existing separations and settlements institutional arrangement, it avoids many of the possible administrative problems about which I expressed concern in my concurring statement on the matter of Federal jurisdiction over the Exchange System Access Line Terminal Charge of the New York Telephone Company.¹⁹

However, as I examine the mechanics of the tentative plan, I am not assured that it will prove to be an effective instrument to alleviate any upward pressures on residential rates which might occur as a result of our recently adopted policy of deregulating customer premises equipment.²⁰ In this respect, it has been estimated that the Bell system might experience a toll revenue shortfall of approximately \$4.4 billion as a result of this action. I strongly urge that in analyzing the comment in this proceeding, the Commission address itself to this problem as it prepares the final version of an access charge plan.

[FR Doc. 80-12108 Filed 4-18-80; 8:45 am]

BILLING CODE 6712-01-M

¹⁹ *New York Telephone Company Exchange System Access Line Terminal Charge for FX and CCSA Service*, 76 FCC 2d, — (Released March 13, 1980).

²⁰ *Second Computer Inquiry*, — FCC 2d — (Adopted April 8, 1980).

**ENVIRONMENTAL PROTECTION
AGENCY**

40 CFR Part 401

[FRL 1470-3]

**Addition of Ammonia to the Toxic
Pollutant List; Extension of Comment
Period**

AGENCY: U.S. Environmental Protection Agency (EPA).

ACTION: Proposed rule; extension of comment period.

SUMMARY: On January 3, 1980 (45 FR 803), the EPA proposed the addition of ammonia to the toxic pollutant list and indicated March 3, 1980 as the closing date for receipt of public comments. Notice of an extension of the comment period to May 2, 1980 was published in the *Federal Register* on January 29, 1980 (45 FR 6632). In response to requests for additional time to develop and submit comments, the EPA is granting another extension of the comment period.

DATE: Comments are now due on or before June 3, 1980.

FOR FURTHER INFORMATION CONTACT:

Joseph A. Krivak, Acting Director, Criteria and Standards Division [WH-585], Office of Water Planning and Standards, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460, telephone 202/755-0100.

James N. Smith,

Assistant Administrator for Water and Waste Management.

[FR Doc. 80-12210 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

Notices

Federal Register

Vol. 45, No. 78

Monday, April 21, 1980

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

CIVIL AERONAUTICS BOARD

[Docket 36815]

Alaskan Carriers Fitness Investigation; Hearing

Notice is hereby given pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that the hearing in the above-entitled proceeding scheduled to be held on April 29, 1980, at 10:00 a.m. (local time) in Room 1003 A, 1875 Connecticut Avenue, N.W., Washington, D.C. 20428 [45 FR 23711], April 8, 1980 Federal Register, is postponed to May 13, 1980, at 10:00 a.m. (local time) in Room 1003 D, 1875 Connecticut Avenue, N.W., Washington, D.C. 20428.

For details regarding the issues in this proceeding, interested persons are referred to the prehearing conference reports, served on February 28, 1980, and March 17, 1980, and other documents which are on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., April 15, 1980.
Alexander N. Argerakis,
Administrative Law Judge.

[FR Doc. 80-12119 Filed 4-18-80; 8:45 am]

BILLING CODE 6320-01-M

[Docket 37278]

American Airlines, Inc.; New York-San Juan Cargo Service Enforcement Proceeding; Reassignment of Proceeding

This proceeding has been reassigned to Administrative Law Judge Henry M. Switky. Future communications should be addressed to Judge Switky.

Dated at Washington, D.C., April 15, 1980.

Joseph J. Saunders,
Chief Administrative Law Judge.

[FR Doc. 80-12118 Filed 4-18-80; 8:45 am]

BILLING CODE 6320-01-M

Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits

Notice is hereby given that, during the week ended April 11, 1980 CAB has received the applications listed below, which request the issuance, amendment, or renewal of certificates of public convenience and necessity or foreign air carrier permits under Subpart Q of 14 CFR 302.

Answers to foreign permit applications are due 28 days after the application is filed. Answers to certificate applications requesting restriction removal are due within 14 days of the filing of the application.

Answers to conforming applications in a restriction removal proceeding are due 28 days after the filing of the original application. Answers to certificate applications (other than restriction removals) are due 28 days after the filing of the application. Answers to conforming applications or those filed in conjunction with a motion to modify scope are due within 42 days after the original application was filed. If you are in doubt as to the type of application which has been filed, contact the applicant, the Bureau of Pricing and Domestic Aviation (in interstate and overseas cases) or the Bureau of International Aviation (in foreign air transportation cases).

Subpart Q Applications

Date filed	Docket No.	Description
Apr. 7, 1980.....	37862	Continental Air Lines, Inc., Los Angeles International Airport, Los Angeles, California 90009. Corrected Application of Continental Air Lines, Inc. to amend its Palm Springs-Los Angeles/Portland/San Francisco/Seattle markets.
Apr. 7, 1980.....	38007	Conforming Applications and Answers are due April 21, 1980. Southwest Airlines Co., c/o Paul Y. Seligson, Wilner & Scheiner, 2021 L Street, N.W., Washington, D.C. 20036. Application of Southwest Airlines Co. pursuant to Section 401 of the Act and Subpart Q of the Board's Regulations requests a certificate of public convenience and necessity authorizing it to perform scheduled air transportation of persons and property between the terminal point Denver, Colorado, on the one hand, and the alternate terminal points Phoenix, Arizona, and Las Vegas, Nevada, on the other hand.
Apr. 9, 1980.....	38017	Conforming Applications and Answers are due May 5, 1980. Alaska Airlines, Inc., c/o Marshall S. Sinick, Fisher, Gelband & Sinick, Suite 440, 2020 K Street, N.W., Washington, D.C. 20006. Application of Alaska Airlines, Inc. pursuant to Section 401(e)(7)(B) of the Act and Section 302.1701(b) of the Board's Procedural Regulations, requests that the Board remove by show cause procedures the 12-year old subsidy limitation condition incorporated in Alaska's certificates for Routes 124 and 138 which reads as follows: The total subsidy to be paid to the Holder for the transportation of mail over routes 124, 124-F, and 138 and under any exemption authority held by the holder shall not exceed the maximum amounts payable under Orders E-20835, May 19, 1964, E-23290, February 25, 1966, and E-25130, May 11, 1967.
Apr. 11, 1980.....	38028	Answers may be filed on April 23, 1980. China Airlines, Ltd., c/o George C. Pendleton, Pendleton & McLaughlin, 504 Brawner Building, 888 17th Street, N.W., Washington, D.C. 20006. Application of China Airlines, Ltd. pursuant to Section 402 of the Act and Subpart Q of the Board's Procedural Regulations requests an amendment to its foreign air carrier permit to authorize it to engage in the foreign air transportation of persons, property and mail in scheduled and non-scheduled service: (a) Between Taipei/Kaohsiung via intermediary points in the Pacific and Anchorage (without traffic rights) and New York, New York. (b) Between Taipei/Kaohsiung via intermediary points in the Pacific and Anchorage (without traffic rights) and Seattle, Washington.
Apr. 11, 1980.....	38033	Answers may be filed by May 9, 1980. Guyana Airways Corporation, c/o V. Michael Straus, Suite 401, 1001 Connecticut Avenue, N.W., Washington, D.C. 20036. Application of Guyana Airways Corporation pursuant to Section 402 of the Act and Subpart Q of the Board's Procedural Regulations requests that its permit be amended to authorize it to engage in scheduled foreign air transportation with respect to persons and their accompanying baggage, in addition to property and mail, between Guyana and Miami, Florida.
Apr. 11, 1980.....	38034	Answers may be filed by May 9, 1980. Kuwait Airways Corporation, c/o G. Joseph Minetti, Dickstein, Shapiro & Morin, 2101 L Street, N.W., Washington, D.C. 20037. Application of Kuwait Airways Corporation pursuant to Section 402 of the Act and Subpart Q of the Board's Procedural Regulations requests that it be issued a permit authorizing it to engage in foreign air transportation of passengers, property and mail between any point in Kuwait and the point New York, New York, via the intermediate point London, England.
Apr. 8, 1980.....	37903	Answers may be filed by May 9, 1980. Hughes Air Corp., d/b/a Hughes Airwest, San Francisco International Airport, San Francisco, California 94128. Application of Hughes Air Corp., d/b/a Hughes Airwest pursuant to Section 401 of the Act and Subpart Q of the Board's Procedural Regulations requests an amendment to its certificate of public convenience and necessity for Route 76 so as to remove the present one-stop restriction upon the air transportation of persons, property, and mail between the following points: Seattle, Washington, and Phoenix, Arizona.

Subpart Q Applications—Continued

Date filed	Docket No.	Description
Conforming Applications and Answers are due April 22, 1980. Apr. 11, 1980.....	38007	Southwest Airlines Co., c/o Paul Y. Seligson, Wilner & Scheiner, 2021 L Street, N.W., Washington, D.C. 20036. Amendment No. 1 to the Application of Southwest Airlines Co. amends its application to add the following markets to those for which Southwest seeks a certificate of public convenience and necessity authorizing it to perform scheduled air transportation of persons and property: Between the terminal point Denver, Colorado, on one hand, and the alternate terminal points Amarillo, Texas; Albuquerque, New Mexico; Kansas City, Missouri; Oklahoma City, Oklahoma; and Tulsa, Oklahoma, on the other hand. Conforming Applications and Answers are due May 9, 1980.

Phyllis T. Kaylor,
Secretary.

[FR Doc. 80-12121 Filed 4-18-80; 8:45 am]

BILLING CODE 6320-01-M

[Dockets 33363, 35401, 35402]

Former Large Irregular Air Service Investigation Phase III; Applications of Commercial Airlines, Inc.; Postponement of Hearing

Notice is hereby given that the hearing in the above-entitled proceeding now assigned to be held on April 14, 1980, at 10:00 a.m. (local time) (45 FR 16521, March 14, 1980) is postponed until further notice.

Dated at Washington, D.C., April 11, 1980.

William A. Pope II,

Administrative Law Judge.

[FR Doc. 80-12120 Filed 4-18-80; 8:45 am]

BILLING CODE 6320-01-M

[Dockets 33363, 37724, and 37725]

Former Large Irregular Air Service Investigation Phase III; Applications of North America International Airlines, Inc.; Hearing

Notice is hereby given that a hearing in the above-entitled matter will be held on May 16, 1980 at 9:30 a.m. (local time) in Room 13201, 11000 Wilshire Boulevard, Los Angeles, California, before the undersigned administrative law judge.

Dated at Washington, D.C., April 15, 1980.

William A. Pope II,

Administrative Law Judge.

[FR Doc. 80-12116 Filed 4-18-80; 8:45 am]

BILLING CODE 6320-01-M

[Dockets 33363, 35401, and 35402]

Former Large Irregular Air Service Investigation, Phase III; Applications of Commercial Airlines, Inc.; Hearing

Notice is hereby given that a hearing in the above-entitled matter will be held on May 14 and 15, 1980 at 9:30 a.m.

(local time) in Suite 2300, One Wilshire Building, 624 South Grand, Los Angeles, California, before the undersigned administration law judge.

Dated at Washington, D.C., April 15, 1980.

William A. Pope II,

Administrative Law Judge.

[FR Doc. 80-12117 Filed 4-18-80; 8:45 am]

BILLING CODE 6320-01-M

IATA; Action on Agreements

The Board has acted upon the following IATA agreements: Order 80-4-75, adopted April 10, 1980, Docket 35634, Agreement C.A.B. 28200, Docket 32660, Agreement C.A.B. 28201.

Agreements among various member air carriers of the International Air Transport Association (IATA) have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations. They were adopted at the Composite Meeting of Passenger and Cargo Tariff Coordinating Conferences (Fuel) held in Geneva during January 1980.

The agreements propose a mechanism for rapid adjustments of worldwide passenger fares and cargo rates, including those to/from U.S. points, based on changing fuel prices. In general, each IATA carrier would provide the IATA Secretary with (a) forecasts of annual nonfuel operating expenses and annual fuel consumption (in gallons), and (b) forecasts of quarterly fuel prices (per gallon), for each geographic area in which the carrier operates scheduled services.¹

¹ The agreements identify 26 areas. The annual data would be submitted on December 15 of each year and cover the upcoming period of April 1 through March 31. The quarterly data would be submitted on the 15th of each January, April, July and October; January 15 data, for example, would contain forecast fuel prices for the upcoming April through June.

Each quarter, the revised forecast fuel prices would be applied to the forecast annual fuel consumption to produce a revised forecast annual fuel expense. This would be added to the forecast annual nonfuel expense to produce a revised forecast of annual total operating expenses every three months. Since only forecast fuel prices are revised every three months, changes in forecast annual total operating expenses from quarter to quarter would solely reflect changes in forecast fuel prices.²

Increases in fares and rates (except domestic and proportional fares) would be determined for each area on the basis of the increases in annual operating costs due to rising quarterly fuel prices. An operating cost increase of 1 percent or less would result in no fare/rate increase. A cost increase of 1.01 to 3.00 percent, however, would result in an automatic fare/rate increase of the same percentage (rounded to the next higher 0.5 percent) and a cost increase of 3.01 to 4.00 percent would result in an automatic fare/rate increase of 3 percent. A cost increase of 4.01 to 6.00 percent would require a mail vote of member carriers, an affirmative vote meaning a fare/rate increase of the same percentage (again, rounded) and a negative vote meaning a fare/rate increase of 3 percent.³ Cost increases of more than 6 percent would require convening of the Tariff Coordinating Conferences involved to consider appropriate fare/rate action.

We have decided to disapprove the agreements.

We understand IATA's desire to quickly implement international fare and rate increases to offset rapidly rising fuel prices. However, we are unable to give approval to any mechanism for determining fare and rate increases, irrespective of the levels so produced, which substantively differs from that established by Congress which we are legally bound to follow. The International Air Transportation Competition Act (IATCA), P.L. 96-192, 94 Stat. 35, established a Standard Foreign Fare Level (SFFL) in international markets based, in most cases, on fares in effect on or after October 1, 1979, although in a limited number of markets we may establish different SFFL bases if we determine that fares in effect on that date are

unjust or unreasonable.⁴ The SFFL represents the ceiling of a "zone of reasonableness" below which we cannot (with some exceptions) suspend or disapprove a proposed fare on the grounds that it is unreasonable. The ceiling is periodically revised to reflect the base fares plus percentage adjustments for changes in actual operating cost per available seat-mile. The IATCA requires us to make such adjustments every six months, with fuel cost adjustments at least every 60 days.⁵

We must view any difference between the IATCA and the methodology which IATA asks us to approve as fundamental and, in itself, sufficient reason for disapproval. While the IATCA does not, perhaps, totally preclude our acceptance of a ratemaking philosophy different from its own because it operates through "no-suspend" zones rather than prescriptively, we regard it as our basic charter for international fares, reflecting Congress' weighing of carriers' needs for cost pass-throughs in a period of great inflation with consumers' needs for some continued regulatory surveillance over fares in noncompetitive markets. In fact, IATA's proposal differs from the regulatory structure established by the IATCA in several respects. The former calls for fuel-related fare adjustments every three months, rather than every 60 days, and increases would appear to be based on fares of the previous quarter, rather than expressed as an adjustment of a fixed base (i.e., fares either in effect on or after October 1, 1979, or otherwise found reasonable by the Board). Moreover, cost changes would be determined by IATA rather than the Board; since the overwhelming majority of the IATA members are foreign-flag carriers, to whose financial information the Board is not privy, we would be unable to independently verify these cost increases.

In addition, the IATCA calls for SFFL adjustments to reflect changes in total operating costs every six months. On the other hand, it appears that IATA's proposal would adjust fares and rates on this basis once each year. The agreements are actually rather unclear

on this point. Since carriers would submit a new annual forecast of nonfuel expenses and fuel consumption each year, it appears that, every four quarters, IATA's fare and rate adjustments would reflect changes in these elements in addition to the quarterly changes in fuel prices.

In this connection, IATA's mechanism would determine fare and rate adjustments based on changes in the aggregate of costs, rather than unit costs. (The IATCA employs costs per available seat-mile.) As a result, the annual data would reflect not only changes in costs (whether their source be fuel or nonfuel), but also changes in the level of carrier operations.

Finally, and of great significance, IATA's mechanism is based solely on forecast data, without any reference to the actual, historical costs incurred by the carriers, either in the calculations or even necessarily as a base from which the forecast data is derived.⁶ On the other hand, our SFFL methodology uses actual carrier costs, with no adjustments, as a base to project future costs. It ensures that passengers share in the benefits of productivity increases, as would be the case under competition. Fare and rate increases determined exclusively by expectations without actual experience playing any role, which implies nothing but a "cost plus" system of ratemaking without incentives for efficiency, is unacceptable.

Acting under the Federal Aviation Act of 1958, as amended, and particularly sections 102, 204(a) and 412, we find that Agreements C.A.B. 28200 and C.A.B. 28201, which have direct application in air transportation as defined by the Act, are adverse to the public interest and in violation of the Act.

Order 80-4-76, adopted April 10, 1980, Docket 35634, Agreement C.A.B. 28188, R-1 through R-33, and Agreement C.A.B. 28202, R-1 through R-8.

Agreements between various U.S. and foreign member air carriers of the International Air Transport Association have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations. The agreements were adopted at the Composite Meeting of Passenger and Cargo Tariff Coordinating Conferences (Fuel) held in Geneva, January 15-23, 1980 or at the Composite Meeting of Cargo Tariff Coordinating Conference

⁴In the *Standard Foreign Fare Level Investigation*, Docket 37730, we will determine the appropriate SFFL bases in 12 markets. See Order 80-2-140, February 26, 1980.

⁵While we are here focusing on passenger fares, our reasons for disapproving IATA's cargo rate mechanism are essentially the same. We have issued a Notice of Proposed Rulemaking (PDSR-65, January 14, 1980) stating our intention to adopt a policy with respect to international cargo rates which is very similar to that which the IATCA mandates for international passenger fares.

²This appears to be the agreements' intent but not their effect, as discussed below.

³To/from Nigeria, however, a negative mail vote would mean no increase.

⁶While the quarterly fuel price submissions would include actual prices from past quarters, they play no role in the calculation of cost changes.

also held at Geneva, January 10-12, 1980.

The first agreement proposes a fourth round of worldwide cargo rate increases to offset still soaring fuel prices. As it applies in air transportation, it increases Western Hemisphere rates to and from Mexico by 8 percent, the Caribbean by 10 to 12 percent, and South-Central America by 6 to 7 percent, except Venezuela which takes no increase; North Atlantic rates to and from Europe by 12 percent, except for Yugoslavia which takes a lesser 7 percent increase, the Middle East by 13 percent, and Africa by 10 percent; Mid Atlantic rates between Puerto Rico/U.S. Virgin Islands and Europe/Middle East by 10 percent and Africa by 8 percent; North Central Pacific rates by 12 percent except to and from Hong Kong, Malaysia, Philippines, Singapore and Taiwan which takes no increase; and rates between Guam/American Samoa, on the one hand, and TC2 (Europe/Middle East/Africa) and other points in TC3 (Asia/Australasia/Pacific), on the other, by amounts ranging from 9 to 13 percent.

Agreement C.A.B. 28208 establishes a number of general resolutions many of which are applicable on a worldwide basis. Included are new cargo resolutions which enable members to take appropriate action in certain markets in TC2 to meet rates and practices of IATA members not participating in IATA tariff coordination or of non-IATA members, change administrative resolutions to reflect the revised traffic conference structure, rescind a number of resolutions or parts of resolutions that are no longer needed, and transfer existing provisions governing demurrage of unit load devices into a new resolution.

We will approve the agreements. However, with regard to the rate increases, we note that there is a rule-making proceeding pending in Docket 37444. As proposed, this would, in general, establish a standard foreign rate level for cargo transportation in each international market, based on the general commodity rates in effect on October 1, 1979.¹ We wish to point out how that when this rule-making is finalized, any subsequent IATA cargo

rate increases may be denied if the agreed aggregate percentage increases over the base October 1, 1979, rates exceeds the allowable ceiling determined for any given geographic region.

Copies of the complete text of Orders 80-4-75 and 80-4-76 may be obtained by postcard request from the Distribution Section, 1825 Connecticut Avenue, Civil Aeronautics Board, Washington, D.C. 20428.

Phyllis T. Kaylor,
Secretary.

[FR Doc. 80-12114 Filed 4-18-80; 8:45 am]
BILLING CODE 6320-01-M

[Docket 32660, Agreement CAB 28155, R-1 through R-8, Agreement CAB 28163, R-8 through R-10, R-12, R-21, R-22, Order 80-4-114]

Agreements Adopted by the Traffic Conferences of the International Air Transport Association Relating to Construction Rules for Passenger Fares; Order

Issued Under Delegated Authority, April 15, 1980.

Agreements among various member air carriers of the International Air Transport Association (IATA) have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations. Intended for effectiveness from April 1, 1980, through March 31, 1981, the agreements were adopted at the Composite Meetings of the Passenger Tariff Coordinating Conferences in Cannes in October 1979.

Agreement C.A.B. 28155 would substantially restructure the IATA rules and procedures for constructing through passenger fares in all areas of the world except TC1 (Western Hemisphere).¹ The above-captioned portions of Agreement C.A.B. 28163 embody further amendments and new resolutions needed to fully implement the restructured fare construction system, including provisions authorizing publication of a new ticketed point mileage manual and construction of circle trip fares. These construction principles, set forth primarily in IATA Resolution 014a (Construction Rule for Passenger Fares) in Agreement C.A.B. 28155, R-1, govern the computation of

fares and charges for complex itineraries involving stopovers, circuitous routings, excess mileage, backhauls, non-flown sectors, and other complicating elements. Neither the present nor the proposed Resolution 014a is a model of clarity,² but the new construction rules incorporate several provisions which merit particularly close attention.

First, the revised Resolution 014a would establish a new "ticketed point" principle for constructing through fares, along with the "ticketed point mileage manual" to determine maximum permissible mileages on circuitous routings. "Ticketed points", as defined by IATA, are:

... points shown in the "good for passage" section of the passenger ticket plus any other point(s) used for fare construction and shown in the "fare construction box" of the passenger ticket, provided that two flight numbers or two carriers such as for an interchange flight will not be permitted on one flight coupon.³

Under the present construction rules, mileage circuitry is calculated on the basis of the flight itinerary; e.g., in the simplest case, if a passenger travels from New York to Athens on a carrier which provides indirect, through-plane service via Amsterdam and Rome, the mileage for purposes of fare calculation would be the sum of the New York-Amsterdam, Amsterdam-Rome, and Rome-Athens sector mileages (although the passenger neither stops over nor changes planes at the intermediate points). This would then be compared with the published direct-route New York-Athens mileage, to determine the appropriate mileage surcharge. Under the new "ticketed point" construction rules, however, the same New York-Athens passenger, on the same through-plane routing, would apparently incur only the direct-route New York-Athens mileage, since, without a change of flight number en route, New York and Athens would be the only "ticketed points" involved. In itself, this revision would permit carriers to ignore intermediate points and eliminate the excess-mileage surcharge on an indirect, through-plane routing, and would thus make it easier

¹ PSDR-65, January 14, 1980. Carriers would be allowed to increase these rates up to five percent above the standard level, or could decrease them without limit without submitting economic justification. The standard rate levels would be adjusted at least semiannually to take into account changes in operating costs. Additionally, until fuel costs level off, it would make bi-monthly adjustments for fuel costs as well. Because of the many cargo markets, each with different operating costs factors, these cost adjustments would be based on an average for the geographical region in which a market lies.

² See Order 79-4-172, April 28, 1979, for a full discussion of Agreement C.A.B. 27764, which revamped IATA's TC1 fare construction rules along somewhat different lines. In that order, we deferred action on Agreement C.A.B. 27764, pending receipt of a new TC1 fare agreement; consequently, the new TC1 fare construction rules do not apply for travel to/from the United States.

³ In some cases the definitions provided in the proposed Resolution 014a are as problematic as the rules. It is not clear, for example, whether Algeria, Morocco, and Tunisia are defined as part of Europe or part of Africa; how "ticketed point" mileages are to be computed for the new mileage manual; how the "direct-route fare" differs from the "through fare"; or why the "direct route" should be defined as the shortest all-year route operated by an IATA carrier in both directions, rather than the shortest route operated by any carrier, in either direction, for any portion of the year.

⁴ Agreement C.A.B. 28155, R-1, Resolution 014a, section (1)(u).

for indirect carriers to compete with direct, non-stop carriers in such markets. A stopover, a change of carrier, or even a change of flight number on the same carrier, on the other hand, would presumably be reflected on the ticket in the form of an additional, intermediate "ticketed point", to be included in computing the total mileage and the applicable mileage surcharge.⁴

It is not clear, however, that carriers would in fact treat both intra- and inter-line connections as "ticketed points", that the "ticketed point" principle would be applied equitably, or, more generally, that application of the principle would rest on anything other than an arbitrary interpretation of the rule by the carrier or agent writing the ticket(s). For example, it would seem that a connecting point included in the routing, but not shown in the "fare construction box" on the ticket itself, could be excluded as a "ticketed point" at the carrier's or agent's discretion. If this is the case, it would be a simple matter for a carrier to ignore excess mileage between on-line connecting points, and assess a mileage surcharge only when an inter-line connection is involved.

The introduction of the "ticketed point" principle would also apparently affect the division of prorates among carriers providing interline service, by allowing carriers to manipulate both the mileage and the surcharges on the fares used as a base for the prorate computation. U.S. carriers, for example, now experience relatively steep prorate dilution on transatlantic routes as a result of high intra-European connecting fares. We fail to see how application of the "ticketed point" concept would in any way produce a more equitable division of prorates; indeed, it may well exacerbate the problem.⁵

⁴In the extreme case, for a traveler who changes flight members or carriers at each intermediate point on the circuitous routing, each change would presumably be considered a "ticketed point" and the mileage would therefore be summed over all the individual sectors, just as it is under the present rules; for a passenger who travels the same circuitous routing on a single flight number, the non-stop or direct route mileage would apply.

In this context it is important to distinguish between stopover points, where the passenger chooses to break the journey, and connecting points (on-line or inter-line), which are a function of the carrier's operations—involuntary stops, from the passenger's point of view. A revised Resolution 014a which was truly designed to benefit passengers might, for example, count only stop-overs as "ticketed points". The proposal here, however, would continue to apply surcharges for excess mileage between connecting points as well as stopovers; only intermediate points on through-plane service could be excluded from the mileage calculation.

⁵In addition, it would seem that under the revised Resolution 014a, IATA contemplates the use of high IATA fares even in cases where the passenger transfers to or from a non-IATA carrier.

Similarly, the inclusion of fictitious construction points, more distant points (beyond the traveler's destination), and higher intermediate fares (backhaul routings) in the new "ticketed point" construction rules would seem to make the proposed system even more complex, unwieldy, and open to manipulation. Fare calculations (and subsequent inter-carrier prorates) could vary widely depending on the carrier's or agent's creativity in juggling the fictitious constructions, more distant points, and backhauls included as "ticketed points". The effect could be profoundly anti-competitive.

We have long held that indirect carriers which seek to participate in a given market should be free to do so. If a carrier wishes to compete by matching the direct carrier's fares, over its own more costly indirect routing, the public clearly stands to benefit from the improved, competitive service. On the whole, however, the proposed "ticketed point" concept would appear to raise more obstacles to competition than it removes. Insofar as it could be used to prevent or hinder competition by indirect carriers, the new "ticketed point" construction principle is no improvement; it may simply bolster direct carriers' ability to protect and exercise their monopoly power in the markets they now dominate.

In a second major modification, the revised Resolution 014a would reduce "free" mileage circuitry allowance in a number of international markets. The present rules stipulate that normal-fare travelers may make multiple stopovers between the point of origin and destination without paying additional mileage charges, as long as the total distance traveled (the sum of the sequential local sector mileages) is not more than 120 percent of the direct-route mileage. The revised rules would reduce this "maximum permitted mileage" to 115 percent of the direct-route distance on most U.S.-Europe routes, among others.⁶ Apart from the inequities inherent in a rule which would permit a Montreal-Europe passenger a 20 percent circuitry allowance while limiting a New York-Europe passenger to 15 percent, the general effect of the revision would be to curtail the amount of "free" mileage included in the full-service normal fare on a variety of international

⁶The "maximum permitted mileage" would remain at 120 percent for travel: (a) between Alaska/California/Nevada/Oregon/Washington and Europe, via the Atlantic; (b) between the U.S./Canada/Mexico and the Middle East/Africa/TC3 (Asia), via the Atlantic; (c) between Canada and Europe, via the Atlantic; (d) wholly within Europe; (e) wholly within the Middle East; and (f) wholly within Africa.

routes. As we have indicated on more than one occasion, in many markets travelers who need simple, point-to-point transportation on demand still have no alternative to the high, full-service normal fare; they must pay the premium IATA fare, priced to cover a 20 percent "free" circuitry allowance and other services which they neither need nor use. In this context, an equitable, across-the-board reduction in the "maximum permitted mileage", accompanied by an appropriate reduction in fare levels, would be a welcome improvement. As it stands, however, the proposed revision fails on both counts: it is neither equitable nor accompanied by a proposal for lower fares.

Third, the revised fare construction rules would also eliminate the current proportionality between the excess mileage used and the mileage surcharges assessed. Resolution 014a now stipulates that for each five percent increment in mileage beyond the initial "free" 20 percent, the passenger must pay a surcharge of five percent of the direct-route fare; when the total circuitry exceeds 50 percent of the published direct-route mileage, the surcharge system no longer applies and the fare becomes the lowest combination of the local sector fares. The proposed construction rules would (1) in effect, raise the level of the surcharges, and (2) apply the combination of the sector fares when the total circuitry exceeds only 35 or 40 percent of the published direct-route mileage (i.e., when the circuitry is 20 percent above the 115 or 120 percent "maximum permitted mileage" in each market).⁷ Again, the proposed revision raises questions of equity, since travelers in different markets would be assessed different surcharges for the same amount of circuitous travel (e.g., a Montreal-Europe passenger with a 25 percent total mileage circuitry would pay a 10 percent surcharge, while a New York-Europe

⁷The following table shows the present and proposed surcharge schedules:

(In percent)		
Surcharge	Present mileage circuitry	Proposed mileage circuitry
5	20-25	15-19 or 20-24
10	25-30	19-23 24-28
15	30-35	23-27 28-32
20	35-40	
25	40-50	27-35 32-40
(*)	Over 50	Over 35 Over 40

*Lowest combination of sector fares applies.

passenger would pay 15 percent). In general, the increase in the level of the mileage surcharges, along with the reduction in the amount of total excess mileage allowed before the fare reverts to the sum of the sector fares, would serve to make circuitous travel more expensive and the IATA mileage-based fare system more restrictive.

A fourth issue raised by the revised fare construction rules involves a new restriction on indirect travel. Section 8 of Resolution 014a now prohibits more than one arrival or departure at the point of origin or destination, or more than one stopover at any single intermediate point, on a through one-way fare. Section 8(b) of the proposed Resolution 014a would, in addition, prohibit more than three international arrivals and three international departures in any one country in Europe, on a through one-way or roundtrip fare; if a passenger's itinerary requires more than three arrivals or departures in the same country, a completely new ticket would have to be issued for the remainder of the journey.⁶ This represents a much broader restriction on indirect travel than anything found in the present fare construction rules. For U.S.-originating passengers, the proposed section 8(b) could result in sharply higher prices, given the current directional imbalance in fares. As a consequence of exchange rate fluctuations and other factors, fares to the United States in deutschemark, Swiss francs, and other European currencies are now generally quite a bit higher than equivalent fares from the United States in U.S. dollars. Under the proposed section 8(b), it would appear that after a U.S. passenger's third stop anywhere in Germany, for example, on a roundtrip European itinerary, a carrier could lawfully invalidate the remainder of the through ticket and require the traveler to purchase a new German-originating ticket in deutschemark for the rest of the journey. In short, it would seem that U.S.-originating passengers could be forced to pay a substantial premium in foreign currency simply to get home.

We are equally concerned about the proposed extension of section 5 from its present limited application (travel within Asia, and between Europe and Asia) to world-wide applicability. Section 5 of Resolution 014a stipulates that whenever a combination of local sector fares undercuts the through fare between intermediate points on a multi-

stop journey, the higher through fare shall be used. We addressed this issue in detail in Order 72-10-1, October 2, 1972, and attached a condition to IATA Resolution 001 (Permanent Effectiveness resolution) to specify that no IATA resolution shall prohibit a carrier or agent from selling a combination of local sector fares which undercuts the through fare. That condition remains in effect, and we have no intention of allowing IATA to overcharge passengers on a world-wide basis by extending the applicability of section 5 under the revised fare construction rules.

Finally, the proposed Resolution 014a would retain a rather problematic provision of the present fare construction rules, viz., proviso 5 of section 4(c), which stipulates that non-flown mileage (i.e., an intermediate surface sector on a multi-stop international trip), must be included in the passenger's total mileage for purposes of fare calculation unless the carrier files a specific notice with IATA to exclude the surface mileage on that particular sector. The proposed proviso 5 would specify that the mileage is to be calculated "via the ticketed point" rather than "via the applicable operated route", as at present, (and would provide for a new "Attachment D" listing the sectors on which carriers were willing to exclude surface mileage) but would otherwise maintain the current requirement that passengers be charged for both air and surface mileage. We did not consider this provision unduly burdensome under the present fare construction rules, since (among other factors) relatively few travelers would incur mileage surcharges as a result of a surface sector under the generous 20 percent "free" circuitry allowance in the current Resolution 014a.⁷ With the proposed reduction in the "free" mileage allowance and the increase in surcharges for excess mileage, however, continued inclusion of surface mileage in fare computations under the new Resolution 014a is considerably more troublesome. Under the revised fare construction rules, proviso 5 would subject more travelers to surcharges for non-flown mileage—and to higher surcharges at that.

In summary, there are a number of provisions in the proposed Resolution 014a which prompt serious reservations on our part. The most fundamental issue, of course, is the application of the "ticketed point" principle itself since it is not clear from the proposed

agreement just how the new "ticketed point" construction rules would work in practice. Our preliminary analysis indicates that the revised fare construction rules offer little or no improvement in terms of carriers' freedom to compete over indirect routings, and little or no benefit to the traveling public in the form of lower, point-to-point fares or better service at present fares. On the contrary, the proposed rules may further restrict competition on major international routes, and would subject passengers to markedly higher fares for reduced service in some areas.

Rather than disapprove the agreements out of hand, however, we believe it may be useful to defer action on Agreement C.A.B. 28155 and the related resolutions in Agreement C.A.B. 28163, pending further information from IATA. It is clear that the revised fare construction rules are designed to increase revenues for the participating carriers; we invite IATA to demonstrate how the proposal would serve to benefit the public or enhance competition in international markets, and merit our approval. Specifically, we invite IATA and all other interested parties to address in detail each of the issues raised in this order and to submit a full analysis, with pertinent exhibits, of the actual operation of the "ticketed point" fare construction rules in comparison with the present rules, for both on-line and inter-line service.

Accordingly, pursuant to sections 102, 204(a), and 412 of the Act:

1. We defer action on Agreements C.A.B. 28155, R-1 through R-8, and C.A.B. 28163, R-8 through R-10, R-12, R-21 and R-22;
2. We request the International Air Transport Association and all other interested parties to supply detailed responses to this order, with documentation and exhibits as outlined above, within 60 calendar days after the date of service of this order;
3. Comments and replies to submissions received pursuant to paragraph 2 above shall be submitted within 90 days after the date of service of this order; and
4. We shall serve copies of this order on the International Air Transport Association and on all certificated U.S. international route carriers and holders of foreign air carrier permits.

⁶The provisions would not apply for travel originating in Africa or in TC3 (Asia), but would affect all U.S.-originating passengers.

⁷See Orders 79-9-126, September 20, 1979; 77-6-83, June 16, 1977; and 77-2-42, February 8, 1977.

We shall publish this order in the **Federal Register**.

Herbert P. Aswall,

Chief International Fares Rates Division,
Bureau of International Aviation.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 80-12115 Filed 4-18-80; 8:45 am]

BILLING CODE 6320-01-M

[Order 80-4-103, Docket 38037]

Lexington-Washington, D.C., Subpart Q Proceeding

AGENCY: Civil Aeronautics Board.

ACTION: Notice of Order to Show Cause 80-4-103, Lexington-Washington, D.C., Subpart Q Proceeding, Docket 38037.

SUMMARY: The Board is instituting the *Lexington-Washington, D.C. Subpart Q Proceeding* and is proposing to grant unrestricted authority to Piedmont Aviation and USAir in the Lexington, Kentucky-Washington, D.C. market under expedited procedures of Subpart Q of its Procedural Regulations. The tentative findings and conclusions will become final if no objections are filed.

The complete text of this order is available as noted below.

DATES: Objections: All interested persons having objections to the Board issuing the proposed authority shall file, and serve upon all persons listed below, no later than May 19, 1980, a statement of objections, together with a summary of the testimony, statistical data, and other material expected to be relied upon to support the stated objections.

ADDRESSES: Objections to the issuance of a final order should be filed in Docket 38037, which we have entitled the *Lexington-Washington, D.C. Subpart Q Proceeding*. They should be addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428.

In addition, copies of such filings should be served upon Piedmont Aviation and USAir; the Mayors of the City of Lexington, Kentucky and Washington, D.C.; Director, Airport Services, Federal Aviation Administration; Kentucky Department of Transportation, Division of Aeronautics and Airport Zoning; and the airport managers of Blue Grass Field, Washington National Airport, and Dulles International Airport.

FOR FURTHER INFORMATION CONTACT: Carol A. Szekely, Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428, (202) 673-5102.

SUPPLEMENTARY INFORMATION: The complete text of Order 80-4-103 is available from our Distribution Section,

Room 516, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428. Persons outside the metropolitan area may send a postcard request for Order 80-4-103 to that address.

By the Bureau of Domestic Aviation: April 14, 1980.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 80-12124 Filed 4-18-80; 8:45 am]

BILLING CODE 6320-01-M

[Order 80-4-100; Docket 38036]

New Orleans-Newark/New York Subpart Q Proceeding

AGENCY: Civil Aeronautics Board.

ACTION: Notice of Order 80-4-100, New Orleans-Newark/New York Subpart Q Proceeding, Docket 38036.

SUMMARY: The Board has instituted the *New Orleans-Newark/New York Subpart Q Proceeding* and is proposing to grant unrestricted authority to Pan American, Continental and Texas International in the New Orleans-Newark/New York markets under the expedited procedures of Subpart Q of its Procedural Regulations. The tentative findings and conclusions will become final if no objections are filed.

The complete text of this order is available as noted below.

DATES: Objections: All interested persons having objections to the Board issuing the proposed authority shall file, and serve upon all persons listed below, no later than May 16, 1980, a statement of objections, together with a summary of the testimony, statistical data, and other material expected to be relied upon to support the stated objections.

ADDRESSES: Objections to the issuance of a final order should be filed in Docket 38036, which we have entitled the *New Orleans-Newark/New York Subpart Q Proceeding*. They should be addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428.

In addition, copies of such filings should be served upon Pan American World Airways, Continental Airlines, Texas International Airlines; Louisiana Department of Transportation and Development, Office of Aviation; New Jersey Department of Transportation, Division of Aeronautics; New York State Department of Transportation, Airport Development Section; The Port Authority of New York and New Jersey; The Mayors of New Orleans, Newark and New York, New York; Airport Manager, New Orleans International Airport; Airport Manager, Newark International Airport; Airport Manager,

John F. Kennedy International Airport; and Airport Manager, LaGuardia Airport.

FOR FURTHER INFORMATION CONTACT: Richard E. Clusman, Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W. Washington, D.C. 20428, (202) 673-5216.

SUPPLEMENTARY INFORMATION: The complete text of Order 80-4-100 is available from our Distribution Section, Room 516, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428. Persons outside the metropolitan area may send a postcard request for Order 80-4-100 to that address.

By the Bureau of Domestic Aviation: April 14, 1980

Phyllis T. Kaylor,

Secretary.

[FR Doc. 80-12123 Filed 4-18-80; 8:45 am]

BILLING CODE 6320-01-M

[Order 80-4-83; Docket 38035]

Wichita-Oklahoma City Show-Cause Proceeding

AGENCY: Civil Aeronautics Board.

ACTION: Notice of Order 80-4-83, *Wichita-Oklahoma City Show-Cause Proceeding*, Docket 38035.

SUMMARY: The Board is proposing to grant Wichita-Oklahoma City nonstop authority to Frontier Airlines and any other fit, willing and able applicant whose fitness can be established by officially noticable data. The complete text of this order is available as noted below.

DATES: Objections: All interested persons having objections to the Board issuing an order making final the tentative findings and conclusions shall file, by May 16, 1980, a statement of objections, together with a summary of the testimony, statistical data, and other material expected to be relied upon to support the stated objections.

Additional Data: All existing and further applicants who have not filed illustrative service proposals and estimates of fuel to be consumed in the first year and a statement as to the availability of fuel are directed to do so no later than May 1, 1980.

ADDRESSES: Objections to the issuance of a final order should be filed in Docket 38035, and should be addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428.

FOR FURTHER INFORMATION CONTACT: James F. Adley, Bureau of Domestic Aviation, Civil Aeronautics Board, 1825 Connecticut Ave., N.W., Washington, D.C. 20428, (202) 673-5000.

SUPPLEMENTARY INFORMATION:

Objections should be served upon Frontier Airlines; Braniff Airways; Continental Air Lines; Air Midwest, Inc.; Republic Airlines; Trans World Airlines; American Airlines; Air Central, Inc.; Scheduled Skyways, Inc.; the Governors of Kansas and Oklahoma; the Mayors of Wichita and Oklahoma City; the Kansas Department of Transportation; the Oklahoma Aeronautics Commission; and the Managers of the Mid-Continental Airport, Wichita, and the Will Rogers World Airport, Oklahoma City.

The complete text of Order 80-4-83 is available from our Distribution Section, Room 516, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428. Persons outside the metropolitan area may send a postcard request for Order 80-4-83 to that address.

By the Bureau of Domestic Aviation: April 10, 1980.

Phyllis T. Kaylor,

Secretary.

[FR Doc. 80-12122 Filed 4-18-80; 8:45 am]

BILLING CODE 6320-01-M

DEPARTMENT OF COMMERCE**International Trade Administration****Harvard University; Decision on Application for Duty Free Entry of Scientific Article**

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR Part 301).

A copy of the record pertaining to this decision is available for public review between 8:30 a.m. and 5:00 p.m. at 666-11th Street, N.W. (Room 735) Washington, D.C.

Docket No. 79-00446. Applicant: Harvard University, Purchasing Department, 75 Mount Auburn Street, Cambridge, Massachusetts, 02138. Article: MS 50L High Performance Mass Spectrometer and Accessories. Manufacturer: Kratos Scientific Instruments, United Kingdom. Intended use of article: The foreign article is to be used in the following studies:

(1) Branched-chain fatty acids which occur naturally in relatively few places, notably in *mycobacterium tuberculosis*;

(2) The primary control mechanism on fatty acid biosynthesis in *mycobacterium smegmatis* which involves the complexation of long chain acyl coenzyme A thioesters by

polysaccharides from the same organism;

(3) The elucidation of the structure and function of biological membranes through investigation of membrane-associated molecules, such as, phospholipids;

(4) Synthetic organotransition metal chemistry involving the synthesis of transition metal clusters with hydrocarbon ligands;

(5) The mechanism of thermal rearrangements; (a) determine activation parameters for the degenerate cope rearrangements of 1,4-bis (dideuteriomethylene)-cyclohexane and cycloheptane (b) determine how well internal vibrational excitation can pass through an acetylenic linkage from one side of a molecule to another;

(6) Activation of Small Molecules with Binuclear Macrocyclic Metal Complexes;

(7) Multi-stage to the synthesis of complex natural products of high biological activity, examples are, salinomycin, maresin, ansamycin antibiotics, neurotoxins (tetrodotoxin and saxitoxin analogs) etc;

(8) Nature of a variety of enzyme-catalyzed reactions using heavy isotopes as probes etc;

(9) Measurements of Nitrate in seawater and the origin of oceanic nutrients;

(10) Analysis of rare nucleotides in DNA and RNA;

(11) Characterization and detection of chemical pollutants in the aquatic environment;

(12) Sequencing proteins by gas chromatographic-mass spectrometric methods; and several other studies.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides a guaranteed resolution of 80,000 (10% valley). The Department of Health, Education, and Welfare advises in its memorandum dated February 6, 1980 that (1) the capability of the foreign article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 80-12040 Filed 4-18-80; 8:45 am]

BILLING CODE 3510-25-M

Solar Energy Research Institute; Decision on Application for Duty Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review between 8:30 a.m. and 5 p.m. at 666-11th Street, N.W. (Room 735) Washington, D.C.

Docket No. 79-00415. Applicant: Solar Energy Research Institute, 1536 Cole Boulevard, Golden, CO 80401. Article: High Resolution Fourier Transformation Multi-Nuclear Magnetic Resonance Spectrometer System, Model JNM/FX-90Q and Accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for studies of diamagnetic and paramagnetic organic, inorganic, and organometallic and biological compounds and materials. Experiments which will be conducted will involve multinuclear pulsed FT-NMR measurements to measure the chemical shifts, nuclear coupling, and nuclear relaxation times of various nuclei. These experiments will be used to help characterize new compounds and materials and aid in more detailed studies of their geometric and electronic structures. Particularly wide spectral widths will be required to examine compounds such as diamagnetic transition metal hydrides, with large chemical shift differences and paramagnetic transition-metal organometallic compounds which exhibit contact-shifted NMR spectra. NMR measurements of both proton and carbon will constitute the majority of these studies, with a wide variety of other nuclei such as fluorine, phosphorus, deuterium, manganese, magnesium, silicon, oxygen and nitrogen, to be pursued at various times. In addition to characterization and structural determination, the objectives of these studies will include an elucidation of reaction mechanisms by an analysis of product distribution, rates

of formation, and detection of intermediates. Of particular importance will be steady state and flash photolysis studies in conjunction with pulsed FT-NMR measurements. These studies will enable more detailed studies of photochemical reactions to be pursued, including the detection and characterization of relatively long-lived intermediates.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered (February 26, 1979). Reasons: The foreign article provides the capability for making $T_{1\rho}$ (spin-lattice relaxation) measurements in the rotating frame. The National Bureau of Standards advises in its memorandum dated February 14, 1980 that (1) the capability of the foreign article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the foreign article was ordered.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 80-12041 Filed 4-18-80; 8:45 am]

BILLING CODE 3510-25-M

University of California; Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to this decision is available for public review between 8:30 a.m. and 5:00 p.m. at 666 11th Street NW. (Room 735), Washington, D.C.

Docket No. 79-00451. Applicant: U.C.L.A., Department of Physiology, Los Angeles, California 90024. Article: Free

Flow Electrophoresis Unit, Model FF 48 and Accessories. Manufacturer: Desaga, West Germany. Intended use of article: The article is intended to be used to isolate and purify plasma membranes from cells obtained from the kidney, intestine, brain and other tissues. The purified membranes are needed for ongoing research projects on the role of plasma membranes in the transport functions of these cells and tissues, e.g., to study the molecular mechanism of ion and water transport across the renal proximal tubule. In addition, the article will be used for graduate student and post-doctoral training programs.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides the capability for high voltage (up to 1200 volts) free-flow electrophoresis. The Department of Health, Education, and Welfare advises in its memorandum dated February 6, 1980 that (1) the capability of the foreign article described above is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR Doc. 80-12042 Filed 4-18-80; 8:45 am]

BILLING CODE 3510-25-M

Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate

with the Director, Statutory Import Programs Staff, U.S. Department of Commerce, Washington, D.C. 20230, by May 12, 1980.

Regulations (15 CFR 301.9) issued under the cited Act prescribe the requirements for comments.

A copy of each application is on file, and may be examined between 8:30 a.m. and 5:00 p.m., Monday through Friday, in Room 735 at 666 11th Street N.W., Washington, D.C.

Docket No. 80-00192. Applicant: San Jose State University, Department of Biological Sciences, San Jose, California 95192. Article: Electron Microscope, Model EM 109. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used for examination of cytoskeletal framework of the stratified epithelial cells of frog skins. Each cell layer, from the basal S. Germinativum layers to the outer S. Corneum layers, will be examined from skins in different functional states. Variations in the different layers under these different states will be studied systematically by electron microscopy. These studies are designed to elucidate the general problem of how cells regulate their volumes. In addition, the article will be used in the courses: Cell Ultrastructure, Biology 234, Cell Physiology, Biology 135, and Biology 298, Thesis Research to instruct the students in the use of the electron microscope. Application received by Commissioner of Customs: February 19, 1980.

Docket No. 80-00193. Applicant: University of California at Los Angeles, CNTE/Tokamak Fusion Laboratory, 2567 Boelter Hall, Los Angeles, CA 90024. Article: Millimeter Reflex Klystron, Type VRT-2121A. Manufacturer: Varian of Canada, Inc., Canada. Intended use of article: The article is intended to be used in a research environment to study and measure plasma density in the Tokamak Fusion Energy Research device. It will be integrated with other components from other manufacturers to form an interferometer for plasma density measurements. Application received by Commissioner of Customs: February 19, 1980.

Docket No. 80-00194. Applicant: University of California at Los Angeles, 405 Hilgard Avenue, Los Angeles, CA 90024. Article: X-Ray Apparatus with Accessories. Manufacturer: Leybold-Heraeus, West Germany. Intended use of article: The article is intended to be used primarily for modern physics demonstrations of X-ray effect, Bragg diffraction, Compton scattering, and nuclear decay and attenuation in the courses 3C, 6C, 8D, and 8E. Application

received by Commissioner of Customs: February 19, 1980.

Docket No. 80-00195. Applicant: Bishop Clarkson Memorial Hospital, 44th & Dewey Avenue, Omaha, Nebraska 68105. Article: Electron Microscope, Model EM 109R. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used to aid and expand existing diagnostic capabilities in the area of surgical pathology. It will also be used in educational programs for post graduate trainees in Internal Medicine, Dermatology and Surgery. One of the objectives of these programs is to incorporate, as much as possible, the most recent knowledge and advances in medicine. This objective can be better achieved by the use of a transmission electron microscope which will allow observation and study at a subcellular or organelle level where much of the new knowledge and understanding of disease and its processes is now being pursued. Another objective is to allow better and more specific classifications of disease. Application received by Commissioner of Customs: February 19, 1980.

Docket No. 80-00197. Applicant: University of Southern California, School of Medicine, 2025 Zonal Avenue, Los Angeles, CA 90033. Article: Thin Layer Counter Current Distribution System. Manufacturer: Central Workshop, University of Lund, Sweden. Intended use of article: The article is intended to be used for the study of the physiology of epithelial cells at the subcellular and molecular levels. The key to the project is the design of methods for isolating all subcellular components, e.g., plasma membrane fragment, mitochondria, and endoplasmic reticulum populations, from intestinal and salivary epithelia. The proposed experiments include studies of amino acid and ion transport mechanisms by highly purified plasma membrane vesicles; analysis of the subcellular distributions of enzymes involved in lipid absorption and membrane biogenesis; and analysis of the intracellular processing of plasma membrane destined and secretory protein. Application received by Commissioner of Customs: February 20, 1980.

Docket No. 80-00198. Applicant: The University of Texas at Austin, Department of Physics, Austin, Texas 78712. Article: High Resolution Electron Loss Spectrometer, ELS 22. Manufacturer: Leybold-Heraeus, West Germany. Intended use of article: The article is intended to be used for investigations of vibrational spectra of

adsorbates to understand surface chemical processes. Application received by Commissioner of Customs: February 20, 1980.

Docket No. 80-00199. Applicant: National Institutes of Health, Building 2, Room 122, Bethesda, MD 20205. Article: Superconducting Magnet, Model 500-54 and Attachments. Manufacturer: Oxford Instruments, United Kingdom. Intended use of article: The article is intended to be used for investigations of proteins; nucleotides associated through hydrogen bonding and other mechanisms; synthetic and natural polynucleotides, such as t-RNA; carbohydrates; lipids; and various types of organic natural products. These investigations will include studies of proton NMR, where the small range of chemical shifts, together with broad lines in polymeric molecules or complexities engendered by spin-spin interactions in various organic molecules, prevent interpretation of the spectra at frequencies significantly less than 500 MHz. In addition, the article will be used in other studies of quadrupolar nuclei, such as ^7Li , ^{14}N , where high field is required to minimize overlap of broad lines; ^{13}C , ^{31}P , and other nuclei of spin $\frac{1}{2}$, in cases where resolution of signals will be enhanced; and elucidation of relaxation and dynamic processes by investigation of the dependence of NMR parameters on magnetic field strength. Application received by Commissioner of Customs: February 20, 1980.

Docket No. 80-00200. Applicant: Sandia National Laboratories, Kirtland Air Force Base East, P.O. Box 5800, Albuquerque, NM 87185. Article: Image Converter Camera, 790. Manufacturer: John Hadland Photonics Ltd., United Kingdom. Intended use of article: The article is intended to be used for photo-optical measurements necessary for the study of generation of electrical discharges at threshold voltages and threshold ignition of explosive components. Application received by Commissioner of Customs: February 20, 1980.

Docket No. 80-00201. Applicant: U.S. Department of Labor, Occupational Safety and Health Laboratory, 390 Wakara Way, Salt Lake City, UT 84108. Article: 100CX-THGI, Ultra High Resolution Top Entry Goniometer and 100CX-TES12, Top Entry Stage. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used in the evaluation of airborne particulate materials collected in the breathing zone of workers to determine compliance with the health standards of the Occupational Safety

and Health Administration. The article will also be used in the study of bulk samples for the identification of asbestos fibers. Application received by Commissioner of Customs: February 22, 1980.

Docket No. 80-00202. Applicant: Cornell University Medical College, Department of Ophthalmology, The New York Hospital—Cornell Medical Center, 525 East 68th Street, New York, New York 10021. Article: Electron Microscope, Model JEM 100S and Accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for studies of pathological human and animal tissues associated with various ocular diseases, particularly tumors. The objectives of the research to be conducted are: (1) To discover the ultrastructural features of various ocular diseases as well as the mechanisms of their occurrences, and (2) to find out the relation between the ultrastructural morphology and the ultrasonographic patterns. All of the studies are aimed at the future achievement of a more accurate diagnosis and a better treatment of ocular diseases than those at the present time. The article will also be used to teach the ultrastructural pathology of the eye to the residents and staff. Application received by Commissioner of Customs: February 22, 1980.

Docket No. 80-00203. Applicant: University of Minnesota Hospitals, 420 S.E. Delaware, Minneapolis, MN 55455. Article: Electron Microscope, Model JEM 100CX and Accessories. JEOL Ltd., Japan. Intended use of article: The article is intended to be used in studies of tissues from animals and human subjects with experimental and clinical vascular diseases, primarily studies of kidney disease and diabetes mellitus. Specimens will be both thin sections of fixed embedded biopsy material and coated dried specimens for scanning EM. Animal experiments include experimental glomerulonephritis and diabetes in rats, mice, and dogs. Human material will be obtained from clinical cases of various diseases by biopsy, nephrectomy and autopsy. The article will be used in training additional members of the faculty, graduate students and technicians in electron microscopy. Application received by Commissioner of Customs: February 22, 1980.

Docket No. 80-00204. Applicant: St. Louis University Medical School, 1402 S. Grand Blvd., St. Louis, Missouri 63104. Article: Electron Microscope, Model JEM 100CX with Water Recirculation and Specimen Rotating Holder.

Manufacturer: JEOL Ltd., Japan.
 Intended use of article: The article is intended to be used for studies of cells and tissues from plant, animal and human organisms. Both prokaryotic and eucaryotic cells will be examined. Experiments will be carried out to determine the effects of disease, drugs, and physiologic modulation on the structure and elemental content of organelle cells and tissues *in vivo* and *in vitro*. The objectives of these investigations are to gain a thorough knowledge of the behavior of cells and tissues under altered circumstances in order to provide the information necessary to appropriately avoid and treat diseased states in plants, animals and humans. In addition, the article will be used for educational purposes in the courses PT-535 Introduction to Electron Microscopy and PT-353 Basic Electron Microscopy. Application received by Commissioner of Customs: February 22, 1980.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

Frank W. Creel,

Acting Director, Statutory Import Programs Staff.

[FR. Doc. 80-12043 Filed 4-18-80; 8:45 am]

BILLING CODE 3510-25-M

Office of the Secretary

Eight Regional Fishery Management Councils and Their Respective Scientific and Statistical Committees; Renewals

In accordance with the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. (1976), and Office of Management and Budget Circular A-63 (as revised), new charters have been filed for the eight Regional Fishery Management Councils and their Scientific and Statistical Committees (SSCs).

The President signed the Fishery Conservation and Management Act of 1976 (16 U.S.C. 1852 et seq.) into law on April 13, 1976. The eight Councils were established, as directed by the Act, under charters filed on July 21, 1976, and the SSCs under charters filed between November 19, 1976, and April 22, 1977. The Act does not establish a termination date for the Councils or the SSCs. Under the terms of the Federal Advisory Committee Act, new charters for the Councils and the SSCs must be filed upon the expiration of each successive 2-year period following the date of enactment of the Act. Thus new charters for the Councils and the SSCs must be filed on or before April 13, 1980.

The FCMA provides for an exclusive U.S. fishery conservation zone that extends 200 nautical miles from the baseline from which the territorial sea is measured, and mandates the establishment of eight Regional Fishery Management Councils, each with a Scientific and Statistical Committee, to serve as the instruments of Federal, State, and private sector interaction in the conduct of fisheries management in the fishery conservation zone.

Under the authority of, and as directed by section 302 of the FCMA, eight Regional Fishery Management Councils and their respective Scientific and Statistical Committees have been established as follows:

1. The New England Fishery Management Council and its Scientific and Statistical Committee with purview over the fisheries in the Atlantic Ocean seaward of the States of Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut.

2. The Mid-Atlantic Fishery Management Council and its Scientific and Statistical Committee with purview over the fisheries in the Atlantic Ocean seaward of the States of New York, New Jersey, Delaware, Pennsylvania, Maryland, and Virginia.

3. The South Atlantic Fishery Management Council and its Scientific and Statistical Committee with purview over the fisheries in the Atlantic Ocean seaward of the States of North Carolina, South Carolina, Georgia, and Florida.

4. The Caribbean Fishery Management Council and its Scientific and Statistical Committee with purview over the fisheries in the Caribbean Sea and Atlantic Ocean seaward of the Virgin Islands and the Commonwealth of Puerto Rico.

5. The Gulf of Mexico Fishery Management Council and its Scientific and Statistical Committee with purview over the fisheries in the Gulf of Mexico seaward of the States of Texas, Louisiana, Mississippi, Alabama, and Florida.

6. The Pacific Fishery Management Council and its Scientific and Statistical Committee with purview over the fisheries in the Pacific Ocean seaward of the States of California, Oregon, Washington, and Idaho.

7. The North Pacific Fishery Management Council and its Scientific and Statistical Committee with purview over the fisheries in the Arctic Ocean, Bering Sea, and Pacific Ocean seaward of Alaska.

8. The Western Pacific Fishery Management Council and its Scientific and Statistical Committee with purview over the fisheries in the Pacific Ocean

seaward of the State of Hawaii, American Samoa, and Guam.

The objectives and duties of each Council include: the preparation and submission to the Secretary of Commerce, or his/her delegate, of a fishery management plan (FMP) with respect to each fishery within its respective geographical area of authority; the preparation of comments on any application for foreign fishing transmitted to it under a governing international fishery agreement by the Secretary of State of his/her delegate, under the terms of the Act; the preparation of comments on any fishery management plan(s) or amendment(s) transmitted to it by the Secretary of Commerce; the continuing review, and revision, as appropriate of assessments and specifications contained in each fishery management plan within its geographical area; the preparation and submission of certain reports to the Secretary of Commerce; and other duties and activities as prescribed by the Act.

Council membership, as required by the Act, includes Federal and State government officials and individuals who are knowledgeable or experienced with regard to the management, conservation, or recreational or commercial harvest of the fishery resources of the geographical area concerned. The SSCs are composed of experts in the biological, statistical, economic, social, and other relevant disciplines.

The purpose of the Scientific and Statistical Committees is to advise the Councils in the assessments and specifications contained in the fishery management plans for fisheries within the Councils' geographical area of concern, with particular regard to: (1) the capacity and the extent to which the fishing vessels of the United States will harvest the resources considered in the FMPs; (2) the effect on such FMPs on local economies and social structures; (3) potential conflicts between user groups of a given fishery resource; and (4) enforcement problems peculiar to each fishery with emphasis on the expected need for enforcement resources. Research indicates that the functions of the Scientific and Statistical Committees cannot be accomplished by any other organizational element or committee of the Department.

These Councils and their respective Scientific and Statistical Committees will continue to operate with a balanced membership, and in compliance with the provisions of the Federal Advisory Committee Act. Copies of each charter will be filed with the appropriate committees of the Congress and with the Library of Congress. Inquiries regarding

this notice may be addressed to the Committee Liaison Officer, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, Rockville, Maryland 20852, or Mrs. Yvonne Barnes, Committee Management Analyst, U.S. Department of Commerce, Washington, D.C. 20230.

Dated: April 11, 1984.

Guy W. Chamberlain, Jr.,

Assistant Secretary for Administration.

[FR Doc. 80-12039 Filed 4-18-80; 8:45 am]

BILLING CODE 3510-17-M

Industry and Trade Administration

Electronic Instrumentation Technical Advisory Committee; Partially Closed Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, as amended, 5 U.S.C. App. 10(a)(2) (1976), notice is hereby given that a meeting of the Electronic Instrumentation Technical Advisory Committee will be held on Tuesday, May 6, 1980, at 9:30 a.m. in Room 3708, Main Commerce Building, 14th Street and Constitution Avenue, N.W., Washington, D.C.

The Electronic Instrumentation Technical Advisory Committee was initially established on October 23, 1973. On October 7, 1975, October 21, 1977, and August 28, 1978, the Assistant Secretary for Administration approved the recharter and extension of the Committee pursuant to Section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Section 2404(c)(1) and the Federal Advisory Committee Act.

The Committee advises the Office of Export Administration with respect to questions involving (A) technical matters, (B) worldwide availability and actual utilization of production technology, (C) licensing procedures which affect the level of export controls applicable to electronic instrumentation, including technical data or other information related thereto, and (D) exports of the aforementioned commodities and technical data subject to multilateral controls in which the United States participates, including proposed revisions of any such multilateral controls.

The Committee meeting agenda has five parts:

General Session

- (1) Opening remarks by the chairman.
- (2) Presentation of papers or comments by the public.
- (3) Discussion of ATE in the infrastructure of manufacturing.
- (4) Technology in the ATE system.
- (5) (Standard) Closed Session.

Executive Session

(4) Discussion of matters properly classified under Executive Order 11652 or 12065, dealing with the U.S. and COCOM control program and strategic criteria related thereto.

With respect to agenda item (5), the Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on September 6, 1978, pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended by Section 5(c) of the Government In The Government Sunshine Act, P.L. 94-409, that the matters to be discussed in the Executive Session should be exempt from the provisions of the Federal Advisory Committee Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552b(c)(1). Such matters are specifically authorized under criteria established by an Executive Order to be kept secret in the interests of the national defense or foreign policy. All materials to be reviewed and discussed by the Committee during the Executive Session of the meeting have been properly classified under Executive Order 11652 or 12065. All Committee members have appropriate security clearances.

The complete Notice of Determination to close meetings or portions thereof of the series of meetings of the Electronic Instrumentation Technical Advisory Committee and of any subcommittees thereof was published in the *Federal Register* on December 27, 1978 (43 FR 60328).

Copies of the minutes of the open portions of the meeting will be available by calling Mrs. Margaret Cornejo, Policy Planning Division, Office of Export Administration, International Trade Administration, Room 1617M, U.S. Department of Commerce, Washington, D.C. 20230, telephone: A/C 202-377-2583.

For further information, contact Mrs. Cornejo, either in writing or by phone at the address or number shown above.

Dated: April 17, 1980.

Kent N. Knowles,

*Director, Office of Export Administration,
Department of Commerce.*

[FR Doc. 80-12317 Filed 4-18-80; 8:45 am]

BILLING CODE 3510-25-M

CONSUMER PRODUCT SAFETY COMMISSION

Toxicological Advisory Board; Meeting

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of meeting: Toxicological Advisory Board.

SUMMARY: This notice announces a meeting of the Toxicological Advisory Board on Monday, May 12, 1980 from 3:00 P.M. to 8:00 P.M. and Tuesday, May 13, 1980 from 9:00 A.M. to 5:00 P.M. The meeting, which is open to the public, will be held in Room 456 at 5401 Westbard Avenue, Bethesda, Maryland.

FOR FURTHER INFORMATION CONTACT:

Catherine Bolger, Office of the Secretary, Suite 300, 1111 18th Street, N.W., Washington, D.C. 20207 (202) 634-7700.

SUPPLEMENTARY INFORMATION: The Toxicological Advisory Board is a newly-established nine-member advisory committee which advises the Commission on precautionary labeling for acutely toxic household substances and on instructions for first aid treatment labeling. In addition, the Board reviews labeling requirements that have been issued under the Federal Hazardous Substances Act and recommends revisions it deems appropriate. The Toxicological Advisory Board was created on November 10, 1978, under the authority of Section 10 of the 1978 CPSC Authorization Act (Pub. L. 95-631).

The meeting on Monday will be devoted to the review of the labeling advice in the CPSC Labeling Guide for detergents.

On Tuesday morning the Board will review the labeling advice for perchlorethylene and will discuss Consumer Sounding Boards. The afternoon session will be devoted to a review of the Board's previous work on the CPSC Labeling Guide.

The two-day meeting is open to the public; however, space is limited. Persons who wish to make oral or written presentations to the Toxicological Advisory Board should notify the Office of the Secretary (see address above) by May 2, 1980.

The notification should list the name of the individual who will make the presentation, the person, company, group or industry on whose behalf the presentation will be made, the subject matter, and the approximate time requested. Time permitting, these presentations and other statements from the audience to members of the Board may be allowed by the presiding officer. Requesters will be informed of the decision before the meeting.

Dated: April 7, 1980.

Sadye E. Dunn,
Secretary Consumer Product Safety
Commission.

[FR Doc. 80-12162 Filed 4-18-80; 8:45 am]

BILLING CODE 6355-01-M

DEPARTMENT OF ENERGY

Proposed Subsequent Arrangement

Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160), notice is hereby given of a proposed "subsequent arrangement" under the Additional Agreement Between the Government of the United States of America and the European Atomic Energy Community (EURATOM) Concerning the Peaceful Uses of Atomic Energy and the Agreement for Cooperation Between the Government of the United States of America and the Government of Sweden.

The subsequent arrangement to be carried out under the above mentioned agreements involve approval of the following retransfer: RTD/SW(EU)-104 retransfer from France to Sweden of one MTR fuel element containing 274 grams Uranium and 255 grams U-235 (93.066%), for fueling the R-2 reactor.

In accordance with Section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that the furnishing of the nuclear material will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than May 6, 1980.

For the Department of Energy.

Dated: April 17, 1980.

Harold D. Bengelsdorf,
Director for Nuclear Affairs, International
Nuclear and Technical Programs.

[FR Doc. 80-12203 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-01-M

Proposed Subsequent Arrangement

Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of a proposed "subsequent arrangement" under the Additional Agreement Between the Government of the United States of America and the European Atomic Energy Community (EURATOM) Concerning the Peaceful Uses of Atomic Energy. The subsequent arrangement to be carried out under the above mentioned agreement involves approval of the following retransfer: RTD/EU(IS)-1, from Israel to France, one uranium-aluminum fuel element, containing 225 grams of uranium, 209 grams U-235 (93%), for production of a fuel element instrumented with thermocouples.

In accordance with Section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that the approval of this retransfer will not be inimical to the common defense and security. This subsequent arrangement will take effect no sooner than May 6, 1980.

Dated: April 17, 1980.

For the Department of Energy.

Harold D. Bengelsdorf,
Director for Nuclear Affairs, International
Nuclear and Technical Programs.

[FR Doc. 80-12204 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-01-M

Proposed Subsequent Arrangement

Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160), notice is hereby given of a proposed "subsequent arrangement" under the Additional Agreement Between the Government of the United States of America and the European Atomic Energy Community (EURATOM) Concerning the Peaceful Uses of Atomic Energy and the Agreement for Cooperation Between the Government of the United States of America and the Government of Sweden.

The subsequent arrangement to be carried out under the above mentioned agreements involves approval of the following retransfer: RTD/EU(SW)-51, from Sweden to West Germany, 5,000 kilograms uranium, containing 175 kilograms U-235 (3.5%) in the form of UO₂ and U₃O₈ scrap, for recovery at RBU, Hanau. After purification, it is planned to return the material to Sweden.

In accordance with Section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that the approval of this retransfer will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than May 6, 1980.

Dated: April 17, 1980.

For the Department of Energy.

Harold D. Bengelsdorf,
Director for Nuclear Affairs, International
Nuclear and Technical Programs.

[FR Doc. 80-12205 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-01-M

Proposed Subsequent Arrangement

Pursuant to Section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160), notice is hereby given of a proposed "subsequent arrangement" under the Additional Agreement Between the Government of the United States of America and the European Atomic Energy Community (EURATOM) Concerning the Peaceful Uses of Atomic Energy and the Agreement for

Cooperation Between the Government of the United States of America and the Government of Canada.

The subsequent arrangement to be carried out under the above mentioned agreements involve approval of the following retransfer: RTD/CA(EU)-13, France to Canada, 24 fuel elements containing 5.297 kilograms of Uranium, 4.942 kilograms of U-235 (93.298%) for use in the McMaster University research reactor.

In accordance with Section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that approval of this retransfer will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than May 6, 1980.

For the Department of Energy.

Dated: April 17, 1980.

Harold D. Bengelsdorf,
Director for Nuclear Affairs, International
Nuclear and Technical Programs.

[FR Doc. 80-12206 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-01-M

Office of the Special Counsel for Compliance

Action on Consent Order With Standard Oil Co. (Indiana)

AGENCY: Department of Energy (DOE).

ACTION: Adoption of Proposed Consent Order as Final.

SUMMARY: The Office of the Special Counsel for Compliance (OSC) hereby gives the notice required by 10 CFR 205.199J that it has adopted the consent order with Standard Oil Company (Indiana), executed on February 14, 1980 and published at 45 FR 12287, February 25, 1980. The consent order resolves all issues of compliance with the DOE Petroleum Price and Allocation Regulations for the period March 6, 1973 through December 31, 1979. To remedy any overcharges that may have occurred during the period, Standard Oil Company (Indiana) agrees to \$690 million in remedies.

As required by the regulation cited above, OSC has received comments on the consent order for a period of not less than 30 days following publication of the notice cited above. Fourteen comments were received. OSC considered these comments and determined that the consent order should be made final without modification. The consent order is effective as an order of the Department of Energy (DOE) on the date of publication of this notice.

FOR FURTHER INFORMATION CONTACT: Richard B. Wolf, Deputy Solicitor, Special Counsel for Compliance,

Department of Energy, 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20461, 202-633-9165.

Copies of the consent order may be received free of charge by written request to: Standard Oil Company (Indiana), Consent Order Request, Office of Special Counsel, Department of Energy, 1200 Pennsylvania Avenue, N.W., Rm. 3109, Washington, D.C. 20461.

Copies may also be obtained in person at the same address or at the Freedom of Information Reading Room, Forrestal Building, 1000 Independence Avenue, S.W., Room GS-145.

SUPPLEMENTARY INFORMATION:

The Consent Order

The Office of the Special Counsel for Compliance published a notice at (45 FR 12287 February 25, 1980), announcing the execution of a consent order between Standard Oil Company (Indiana) (Standard) and OSC. In compliance with DOE regulations, that notice, and a press release issued on February 14, 1980, briefly summarized the consent order. The notice and press release also gave instructions for obtaining copies of the consent order.

The consent order can be summarized as follows:

1. The consent order marks the conclusion of OSC's audit of Standard's compliance with the mandatory Petroleum Price and Allocation Regulations for the period March 6, 1973 through December 31, 1979. The consent order resolves all pricing and allocation claims and disputes between Standard and OSC for that period.

2. To resolve the compliance issues, Standard has agreed to undertake certain actions totalling \$690 million. The settlement consists of a current payment component of \$100 million, a "bank reduction" of \$180 million, and an investment commitment of \$410 million for new, expanded or accelerated domestic exploration, recovery or refinery projects.

3. The \$100 million payment will be implemented in two parts. Within 15 days after receipt by Standard of notification from DOE that this Consent Order has been made effective, Standard shall deposit \$71,000,000 in an escrow account. Standard will have no responsibility for, or participation in, the withdrawal, distribution or investment of funds from this escrow account. In addition, Standard shall make refunds not to exceed in aggregate amount \$29,000,000 to purchasers of various middle distillate products in its commercial/consumer direct shipment and direct sales channels who take delivery in tank truck/tank car or larger delivery modes. Standard shall review

with DOE its refund procedures and obtain DOE's approval of such procedures to assure that the refunds are paid or credited in a reasonable and equitable manner. To the extent Standard initially refunds less than \$29,000,000, the difference may be used to make further direct refunds subject to DOE review and approval, provided that any remaining difference which may still exist on December 31, 1980, will be deposited by Standard in the escrow account.

4. The unrecovered costs (bank) reduction component of the settlement shall be \$180 million. Standard shall subtract \$170 million from its bank of unrecovered increased motor gasoline costs and \$10 million from its bank of unrecovered propane costs. These are costs previously reported by Standard as available for pass through in product prices. The effect of the reduction is to foreclose Standard's opportunity to recover this amount in future price increases.

5. Standard shall make investments of \$410 million for new, expanded, or accelerated projects of the following kinds:

(a) Domestic United States oil and gas exploratory drilling, developmental drilling, and enhanced recovery during 1980 and 1981.

(b) Design, engineering, construction, and activation of a cat feed hydrotreating project at its Texas City refinery on a schedule intended to have the new facility in operation by mid-1983.

6. In lieu of penalties, Standard shall pay \$250,000 to the U.S. Treasury.

Comments Received

OSC received fourteen comments on the proposed Standard consent order. Nine of the comments came from Standard customers, most of whom were concerned about the effect of the consent order on their alleged claims against Standard. Some of these comments, as well as the remaining four comments, including three filed on behalf of consumer and minority interests, also addressed the remedies provisions of the consent order.

The primary concern of the commenters who have or may have a claim against Standard based on its pricing or allocation policies was either that the consent order did not satisfy their particular claims or that the consent order would preclude them from pursuing their claims. The consent order settles and resolves only claims and disputes between Standard and DOE. It was not intended to resolve all private claims against Standard, nor was it intended to extinguish any private rights

of action. Persons who have a pricing or allocation dispute with Standard may seek appropriate judicial relief, including declaratory judgments, injunctions, and/or damages, under § 210 of the Economic Stabilization Act.

Some of the commenters contended that particular aspects of the consent order would impair the pursuit of private rights of action against Standard. One of the commenters complained that private refund initiatives would be inhibited by the consent order's lack of specificity with respect to the types of violations allegedly engaged in by Standard. A consent order rests on, among many other factors, each party's assessment of the strengths and weaknesses of the various allegations. Neither these differing assessments nor the weight, if any, given to them in the settlement process could be reflected in a listing of the types of alleged violations. In any event, a list could be potentially misleading since a consent order does not constitute a finding of actual violations.

Another commenter objected to three provisions of the consent order, paragraphs 409, 411 and 412, as potentially prejudicial to successful prosecution of a private right of action. Paragraph 409, in which DOE agrees that it will not voluntarily participate adversely to Standard in proceedings related to Standard's compliance with the pricing and allocation requirements for the period covered by the consent order, reflects the essence of the consent order as a final resolution of all disputes between DOE and Standard for the period covered. DOE's *voluntary* participation in § 210 actions adversely to Standard would be inconsistent with an agreement (the consent order) settling all matters between the company and the agency.

In paragraph 411, which relieves Standard of its duty to comply with the record-keeping requirements of 10 CFR 210.92 for the period covered by the consent order, OSC has simply exercised the authority conferred by 10 CFR 10.92(d)(2)(B) to remove a requirement, the need for which no longer exists. With the completion of OSC's audit and the settlement of all disputes and claims for the period between Standard and DOE, the records which were maintained by the company to demonstrate to DOE its compliance with the pricing and allocation regulations, are no longer required by DOE. Moreover, the commenter provides no reason to believe that the information contained in these records is not otherwise maintained by Standard.

Paragraph 412 concerning the confidentiality to be accorded to information that DOE has concerning Standard and matters covered by the consent order neither expands the powers of the agency nor constricts the rights of any person under the Freedom of Information Act. In addition, as the U.S. Supreme Court recognized in *N.L.R.B. v. Sears, Roebuck & Co.*, 421 U.S. 132 (1975), a person seeking information to aid in litigation has no greater rights under the Act to particular information than any other person. Accordingly, OSC will treat all requests for the information referred to in paragraph 412 consistent with the Act's provisions.

Nine comments addressed the \$100 million current payment component of the consent order. Two of the comments raised questions about the \$29 million available for refunds to certain purchasers of various middle distillate products. These refunds will be paid or credited to customers in Standard's commercial/consumer direct shipment and direct sales channels who take delivery in tank truck/tank car or larger delivery modes and who purchased middle distillates during the period covered by the consent order. It is not contemplated that the refunds will be made via a price rollback on future middle distillate sales.

Eight of the comments either questioned whether the \$71 million would be available to satisfy the particular commenter's claim or suggested various mechanisms for disposition of that fund. OSC has not made a final decision concerning the distribution of the fund, but will consider the interests and suggestions of the commenters in making its determination.

Four comments criticized the bank reduction and investment commitment remedies in the consent order. With the exception of one commenter who advocated a greater gasoline bank reduction, the comments generally followed in the vein of one comment that bank reductions offered only "phantom" relief. In addition, one commenter objected that the consent order provided insufficient information to enable the public to ascertain the actual benefits to purchasers or costs to Standard of the bank reduction and investment commitment. OSC believes that the bank reductions represent a real, and not an illusory, benefit to the public and cost to Standard. A reduction in banked costs, costs previously reported by a refiner as available for passthrough in product prices,

effectively forecloses the opportunity to pass these costs through in future prices.

The \$410 million investment commitment does not "reward" Standard for its pricing violations, as one commenter alleges, nor does it necessarily guarantee Standard future profits, as other commenters suggest. The commitment to invest in new, expanded and accelerated domestic exploration, recovery, and refinery projects fulfills an important objective of the nation's energy policy and will significantly benefit the public in the future.

Finally, OSC has not yet determined the specific repository for the \$71 million in funds to be provided by Standard. Accordingly, no reference to any identified entity will be made in the consent order.

Having considered the comments, OSC has not found any reason to modify (with the exception noted in the preceding paragraph) or rescind the proposed consent order. Accordingly, OSC has determined that the proposed consent order with Standard should be made final, effective upon publication of this notice.

Issued in Washington, D.C., April 11, 1980.

Paul L. Bloom,
Special Counsel for Compliance.

[FR Doc. 80-12056 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-01-M

Office of Conservation and Solar Energy

Technical Assistance and Energy Conservation Measures: Grant Programs for Schools and Hospitals and Buildings Owned by Units of Local Government and Public Care Institutions

AGENCY: Department of Energy.

ACTION: Public notice; change in closing date of second grant program cycle and announcement of application submittal deadline date.

SUMMARY: The closing date for the second grant program cycle for technical assistance and energy conservation measures, published in the *Federal Register* on March 5, 1980 (appearing at 45 FR 14247), is hereby changed from August 29, 1980 to September 30, 1980. This closing date represents the date by which the Department of Energy (DOE) must award all grants under this portion of the programs, including technical assistance, energy conservation measures and State administrative expense grants, for the second grant program cycle. The date by which applications for this portion of the

programs must be received by DOE in order for DOE to assure grant award by September 30, 1980 is hereby established as August 15, 1980.

FOR FURTHER INFORMATION CONTACT: Michael Willingham or Ronald Milner, Institutional Buildings Grants Programs Division, Office of Conservation and Solar Energy, Room 2H-043, 1000 Independence Avenue, S.W., Washington, D.C. 20585. (202) 252-2330.

Issued in Washington, D.C., April 9, 1980.

T. E. Stelson,

Assistant Secretary, Conservation and Solar Energy.

[FR Doc. 80-12241 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration

Panhandle Eastern Pipe Line Co., Through its Subsidiary, Century Refining Co.; Final Action on Consent Order

AGENCY: Economic Regulatory Administration, Department of Energy.

ACTION: Notice of final action taken.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces final action to accept a Consent Order after consideration of comments received from the public.

EFFECTIVE DATE: April 7, 1980.

FOR FURTHER INFORMATION CONTACT:

Alan L. Wehmeyer, Office of Enforcement, Economic Regulatory Administration, Department of Energy, 324 East 11th Street, Kansas City, Missouri 64106.

SUPPLEMENTARY INFORMATION: On February 29, 1980, the Office of Enforcement of the ERA published Notice of a Consent Order which had been executed between Panhandle Eastern Pipe Line Company through its subsidiary Century Refining Company and DOE. With that Notice, and in accordance with 10 CFR 205.199(c), the Office of Enforcement invited interested persons to comment on the Consent Order. A press release was issued simultaneously, in conformity with 10 CFR 205.199(c). Under the terms of 10 CFR 205.199(c), no Consent Order involving sums in excess of \$500,000 shall become effective until the DOE publishes Notice of its execution and solicits and considers public comments with respect to its terms. Pursuant to 10 CFR 205.199, the Office of Enforcement of the ERA hereby gives Notice of final action taken on the Consent Order.

I. Comments Received

No comments were received with respect to the terms of the Consent Order.

II. Determination

The Office of Enforcement of the ERA has determined that the refund procedures as provided in the Consent Order are appropriate under the circumstances of this case.

The Office of Enforcement has concluded that the Consent Order as executed between DOE and Panhandle Eastern Pipe Line Company through its subsidiary Century Refining Company is an appropriate resolution of the compliance proceedings described in the Notice published on February 29, 1980, and hereby gives Notice that the Consent Order is made effective by written notice to Century Refining Company on this date.

Issued in Kansas City, Missouri on this 7th day of April, 1980.

William D. Miller,

District Manager, Central Enforcement District.

Concurrence:

David H. Jackson,

Chief Enforcement Counsel, Central Enforcement District.

[FR Doc. 80-12052 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Project No. 3075]

Browns Valley Irrigation District; Application for Preliminary Permit

April 15, 1980.

Take notice that Browns Valley Irrigation District (Applicant) filed on March 7, 1980, an application for preliminary permit [pursuant to the Federal Power Act, 16 U.S.C. §§ 791(a)-825(r)] for proposed Project No. 3075 to be known as Virginia Ranch Dam and Harding Canal Drop Project located on Dry Creek in Yuba County, California. Correspondence with the Applicant should be directed to: Mr. Ronald M. Hill, Browns Valley Irrigation District, P.O. Box 6, Browns Valley, California 95918; and Mr. Frank B. Clendenen, Consulting Engineering, 12405 Locksley Lane, Auburn, California, 95603.

Project Description—Applicant proposes to study two alternate schemes of development. Both Alternate A and Alternate B would utilize the existing earth-and-rock-filled Virginia Ranch

Dam impounding a reservoir with a gross storage capacity of 57,000 acre-feet and the existing outlet conduit through the dam.

Alternate A would further consist of: (1) a proposed powerhouse at the foot of the dam, containing a generating unit rated at 600 kW; (2) the existing tunnel; (3) the existing Harding Canal which would be extended 5,000 feet; (4) a proposed powerhouse containing a generating unit rated at 1,900 kW, located at the base of a drop near the end of the canal; and (5) an afterbay. The average annual energy generation for Alternate A is estimated to be 31.5 million kWh.

Alternate B would further consist of: (1) a proposed 54-inch-diameter pipeline from the existing outlet conduit and through an existing tunnel; (2) a proposed powerhouse, at the end of the pipeline, containing a generating unit rated at 1,700 kW; and (3) an afterbay. The average annual energy generation for Alternate B is estimated to be 22.9 million kWh.

The project would utilize only flows that are released for irrigation and fish purposes. Applicant states that the project would normally operate only during the six-month irrigation season.

Purpose of Project—The power and energy developed by the project would be sold to either the Pacific Gas and Electric Company or the Sacramento Municipal Utilities District.

Proposed Scope and Cost of Studies under Permit—Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time it would conduct a feasibility investigation for each alternative, perform a structural analysis of the outlet works, do feasibility designs and cost estimates, collect environmental data, perform geotechnical studies, and complete a FERC license application. The estimated cost of the work to be performed under the preliminary permit is \$47,000.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for the power, and all other necessary information for inclusion in an application for a license. In this instance, Applicant seeks a 36-month permit.

Agency Comments—Federal, State, and local agencies that receive this

notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 19, 1980 either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 18, 1980. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c), (as amended 44 FR 61328, October 25, 1979). A competing application must conform with the requirements of 18 CFR 4.33 (a) and (d), (as amended, 44 FR 61328, October 25, 1979).

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protest about this application should file a petition to intervene or a protest with the Federal Energy Regulatory Commission, in accordance with the requirements of the Commission's Rules of Practice and Procedure, 18 CFR, § 1.8 or § 1.10 (1979). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protests, or petition to intervene must be filed on or before June 19, 1980. The Commission's address is: 825 North Capitol Street, NE., Washington, D.C. 20426. The application is on file with the Commission and is available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 80-12067 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-85-M

[Project No. 3019]

City of Big Rapids, Mich.; Application for Preliminary Permit

April 15, 1980.

Take notice that the City of Big Rapids, Michigan, filed on January 10, 1980, an application [pursuant to the Federal Power Act, 16 U.S.C. § 791(a)-825(r)] for a preliminary permit for the proposed hydroelectric power project to be known as the Muskegon River Project (FERC Project No. 3019), located on the Muskegon River in Mecosta County, Michigan. Correspondence with the Applicant on this matter should be addressed to: W. Larry Collins, City Manager, 226 North Michigan Avenue, Big Rapids, Michigan 49307.

Purpose of Project—The City of Big Rapids proposes to redevelop the hydroelectric potential at the site of a deteriorated, existing dam on the Muskegon River in Big Rapids. The power generated would be sold to existing operating power companies in the area for distribution.

Proposed Scope and Cost of Studies Under Permit—The Applicant seeks issuance of a preliminary permit for a period of 36 months, during which time the Applicant proposes to conduct economic and environmental studies, prepare applications for the necessary State and Federal permits, and to develop preliminary and final designs of the project. The Applicant estimates the cost of the proposed studies would be \$35,000.

Project Description—The Applicant's proposed project would consist of: (1) a 640-foot-long and a 22-foot-high dam; (2) a reservoir with a storage capacity of 4,500 acre-feet at normal pool elevation 904 feet msl; (3) a powerhouse containing a hydroelectric generating unit with a total rated capacity of 1,900 kW (a study will be conducted to analyze the relative benefits of rehabilitation of the existing powerhouse vs. new construction); and (4) appurtenant facilities. The annual generation is estimated to be 9,000,000 kWh.

Purpose of Preliminary Permit—A preliminary permit does not authorize construction. A permit, if issued, gives the Permittee, during the term of the permit, the right of priority of application for license while the Permittee undertakes the necessary studies and examinations to determine the engineering, economic, and environmental feasibility of the proposed project, the market for the power, and all other necessary

information for inclusion in an application for a license. In this instance, Applicant seeks a 36-month permit.

Agency Comments—Federal, State, and local agencies that receive this notice through direct mailing from the Commission are invited to submit comments on the described application for preliminary permit. (A copy of the application may be obtained directly from the Applicant.) Comments should be confined to substantive issues relevant to the issuance of a permit and consistent with the purpose of a permit as described in this notice. No other formal request for comments will be made. If an agency does not file comments within the time set below, it will be presumed to have no comments.

Competing Applications—Anyone desiring to file a competing application must submit to the Commission, on or before June 23, 1980 either the competing application itself or a notice of intent to file a competing application. Submission of a timely notice of intent allows an interested person to file the competing application no later than August 22, 1980. A notice of intent must conform with the requirements of 18 CFR 4.33 (b) and (c), (as amended 44 FR 61328, October 25, 1979). A competing application must conform with the requirements of 18 CFR, 4.33 (a) and (d), (as amended, 44 FR 61328, October 25, 1979).

Comments, Protests, or Petitions to Intervene—Anyone desiring to be heard or to make any protest about this application should file a petition to intervene or a protest with the Federal Energy Regulatory Commission, in accordance with the requirements of the Commission's Rules of Practice and Procedure, 18 CFR, § 1.8 or § 1.10 (1979). Comments not in the nature of a protest may also be submitted by conforming to the procedures specified in § 1.10 for protests. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but a person who merely files a protest or comments does not become a party to the proceeding. To become a party, or to participate in any hearing, a person must file a petition to intervene in accordance with the Commission's Rules. Any comments, protests, or petition to intervene must be filed on or before June 23, 1980. The Commission's address is: 825 North Capitol Street, NW., Washington, D.C. 20426. The application is on file with the

Commission and is available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12068 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. RP79-59]

Colorado Interstate Gas Co.; Proposed Change in Rates in Compliance With Settlement Agreement

April 14, 1980.

Take notice that Colorado Interstate Gas company (CIG) on April 3, 1980 tendered for filing proposed tariff revisions to its FERC Gas Tariff, Original Volume Nos. 1 and 2 to be effective October 1, 1979, January 1, 1980 and April 1, 1980. CIG avers that the filing is in compliance with the Stipulation and Agreement of Settlement approved by order of the Commission in this docket issued March 5, 1980.

Copies of CIG's filing have been served upon the Company's jurisdictional customers and other interested persons, including public bodies.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 25, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12069 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. GP80-11]

Columbia Gas Transmission Co.; Third-Party Protests¹

Issued: April 15, 1980.

Take notice that in accordance with the procedures established by the Federal Energy Regulatory Commission

¹ The term "third-party protest" refers to a protest filed by a party who is not a party to the contract which is protested.

(Commission) in Order No. 23-B,² and "Order on Rehearing of Order No. 23-B,"³ the Staff of the Commission protested on February 15, 1980, the assertion by the Columbia Gas Transmission Company (Columbia) and certain producers that the contracts identified in Staff's protest constitute contractual authority for the producers to charge and collect any applicable maximum lawful price under the Natural Gas Policy Act of 1978 (NGPA).

Staff stated that the contracts contained in Appendix A do not provide authority for the producer to increase prices to the extent claimed by Columbia in its evidentiary submission.

Take further notice that the Associated Gas Distributors (AGD) filed a supplemental third-party protest on February 11, 1980. AGD protests that the contracts in Appendix B do not provide contractual authority for the producer to increase prices charged and collected to the applicable NGPA maximum lawful price.

Any person, other than the pipeline and the seller, desiring to be heard or to make any response with respect to these protests should file with the Commission, on or before April 29, 1980, a petition to intervene in accordance with 18 CFR § 1.8. The seller need not file for intervention because under 18 CFR § 154.94(j)(4)(ii), the seller in the first sale is automatically joined as a party.

Kenneth F. Plumb,
Secretary.

Appendix A

Producer and Contract Date

Alert Oil and Gas Company, Inc., et al., 6-21-48.
Alert Oil and Gas Company, Inc., et al., 3-27-46.
Alert Oil and Gas Company, Inc., et al., 10-28-30.
Conby and Associates, Inc., and Joe Jones, 1-18-73.
Beechy Gas Company, 10-15-45.
Cantus Gas Company, 12-20-49.
Craft Gas Company, 6-21-48.
Glenn H. Johnson, 11-21-44.
d.b.a. Johnson Producing Co., 8-24-45.
d.b.a. Johnson Producing Co., 1-7-46.
d.b.a. Johnson Producing Co., 5-5-46.
d.b.a. Johnson Producing Co., 10-27-59.
d.b.a. Johnson Producing Co., 9-17-43.
d.b.a. Johnson Producing Co., 10-3-44.
Knob Gas Company, 9-10-47.
Myers Gas Company, 8-7-69.
Myers & Hicks Gas Company, 11-15-71.
Myers Taylor Gas Company, 4-3-46.
Union Gas Associates, Inc., & Union Gas Corporation, 2-24-59.

Webster Myers, 2-2-49.

Appendix B

Producer and Rate Schedule No. or Contract Date

Crowley & Associates, Inc., and Joe Jones, 1-18-73.
Webster Myers, 6-21-48.
Glenn H. Johnson, 11-21-44.
Glenn H. Johnson, 8-24-45.
Glenn H. Johnson, 1-7-46.
Glenn H. Johnson, 5-5-46.
Glenn H. Johnson, 10-27-59.
Glenn H. Johnson, 9-17-43.
Glenn H. Johnson, 10-3-44.
Webster Myers, et al., 9-10-47.
Dorothy Myers, 8-7-69.
Webster Myers, 11-15-71.
Webster Myers, 4-3-46.
Webster Myers, 2-2-49.
Union Gas Associates, Inc. & J. Frank Hoffman, 2-24-59.
Alert Oil & Gas Co., Inc., 4-4-56.
Alert Oil & Gas Co., Inc., 8-30-57.
Alert Oil & Gas Co., Inc., 2-20-67.
Alton Skinner d.b.a. Chase Petroleum, 12-13-79.
Jimmy Hamilton Gas & Oil Co., et al., 11-28-79.
D.C. Malcolm, Inc., 11-19-79.
Mills Drilling Co., Inc., et al., 12-13-79.
Phillips Production Co., 12-6-79.
Plateau Resource Development Corp., 12-6-79.
Plateau Resource Development Corp., 12-6-79.
Plateau Resource Development Corp., 12-6-79.
Union Drilling, Inc., 11-26-79.
Union Drilling, Inc., 11-30-79.
Petro Resources, Ltd., 11-19-79.
Webster Myers, et al., 10-15-45.
Webster Myers, 12-20-49.
Alert Oil & Gas Co., Inc., 10-25-50.
Alert Oil & Gas Co., Inc., et al.,
Alert Oil & Gas Co., Inc., 6-21-48.
Adobe Oil & Gas Corp., 10-30-79.
C & N Company, 11-9-79.
Champlin Petroleum Corp., 1

[FR Doc. 80-12070 Filed 4-18-80; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. TA80-2-44 (PGA80-2)]

Commercial Pipeline Co., Inc.; PGA Filing

April 14, 1980.

Take notice that on April 1, 1980, Commercial Pipeline Co., Inc., (Commercial) tendered for filing 32nd Revised Sheet No. 3A reflecting Purchased Gas Adjustments and effective dates as set out below:

Sheet No.	Current adjustments	Cumulative adjustments	Effective date
Revised 32nd.....	.6418	.9521	Apr. 1, 1980.
Revised Sheet No. 3A.....			

Commercial states that these revisions track precisely similar revisions in the tariff of Cities Service Gas Company, its sole supplier.

Commercial requests waiver of notice to the extent required to permit said tariff sheets to become effective as proposed.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 25, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12071 Filed 4-18-80; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. GP80-87]

Conoco Inc.; Requests for Withdrawal

April 14, 1980.

U.S. Geological Survey; New Mexico, Section 108 NGPA Determinations
Conoco Inc.

Lockhart A-27 No. 8 Well, USGS Docket No. NM-1920-79, JD No. 79-17362.
AXI Apache J No. 19 Well, USGS Docket No. NM-1992-79, JD No. 79-18030.
Lockhart B-11 No. 16 Well, USGS Docket No. NM-1971-79, JD No. 79-18202.

Take notice that on January 16, 1980, and February 19, 1980, Conoco Inc. (Conoco) filed with the Commission requests to withdraw its applications for section 108 well category determinations under the Natural Gas Policy Act of 1978 for the above-listed wells. The determinations for each of these wells became final, by operation of § 275.202 of the commission's regulations, prior to the dates on which these requests for withdrawal were filed.

Conoco states that each of the above-listed wells is a multi-completion well. It further states that a review of its records indicates that the production data upon which each determination was based did not contain production figures for all completion locations within the well bore, as required by § 271.804(a). Conoco states that steps have been taken to correct this error and that all excess amounts collected for sales of gas from these wells have been refunded to the purchaser.

Any person desiring to be heard or to make any protest with reference to said

²"Order Adopting Final Regulations and Establishing Protest Procedure," Docket No. RM79-22, issued June 21, 1979.

³Docket No. RM79-22, issued August 6, 1979.

request should on or before May 14, 1980, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR § 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to the proceeding must file a petition to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12069 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-85-M

[Dockets Nos. CS71-530, et al.]

Crystal Oil Co. (Charter Exploration and Production Co.), et al.; Applications for "Small Producer" Certificates¹

April 15, 1980.

Take notice that each of the Applicants listed herein has filed an application pursuant to Section 7(c) of the Natural Gas Act and § 157.40 of the Regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 10 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before April 24, 1980, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

¹This notice does not provide for consolidation for hearing of the several matters covered herein.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission in its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

Docket No.	Date filed	Applicant
CS71-530 (CS73-560).	1/3/80	Crystal Oil Company (Charter Exploration and Production Company), P.O. Box 21101, Shreveport, Louisiana 71120.
CS71-831	2/26/79	William J. Atkins, Trustee for Trusts Under the Estate of Katherine A. Atkins (Katherine Adger Atkins, et al.), P.O. Box 1838, Shreveport, Louisiana 71102.
CS71-835	2/26/79	William J. Atkins, Executor of Succession of John B. Atkins, Jr. (John B. Atkins, Jr.), P.O. Box 1838, Shreveport, Louisiana 71102.
CS73-319	4/10/80	Dinero Oil Corporation (Dinero Oil Company), 600 Southwest Tower, Houston, Texas 77002.
CS73-560	9/3/74	Charter Exploration and Production Company (Charter Resources Company), P.O. Box 21101, Shreveport, Louisiana 71120.
CS76-330	4/30/79	Alsbrook & Edwards Oil Company, Inc. (Alsbrook & Edwards Oil Company), Suite 650, One Energy Square, 4925 Greenville Avenue, Dallas, Texas 75206.
CS79-87	3/25/80	Amra Oil & Gas Company (Boardwalk Petroleum, Inc., Suite 420-430, Prudential Federal Savings & Loan Building, 115 South Main, Salt Lake City, Utah 84111.
CS80-85	2/19/80	Bob Wallace Oil, Inc., P.O. Box 410, Borger, Texas 79007.
CS80-86	2/19/80	Hinkle Engineering, Inc., 2234 Northwest 39th, Oklahoma City, Okla. 73112.
CS80-87	2/20/80	Arch B. Gilbert, 810 Executive Plaza, 210 W. Sixth, Fort Worth, Texas 76102.

¹Letter advising that Charter Exploration and Production Company was acquired by Crystal Oil Company effective 8-19-76. Charter's small producer certificate in Docket No. CS73-560 is hereby terminated as moot.

²NGPA filing reflecting change in designation. Certificate

holder has confirmed that certificate should be redesignated accordingly.

³Being noticed to reflect a name change effective 3-1-80.

⁴Letter requesting change in corporate name as of 12-31-79, due to merger.

⁵Letter of Redesignation of small producer certificate due to merger.

[FR Doc. 80-12072 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. EL80-26]

Department of the Air Force; Filing

April 15, 1980.

The filing party submits the following:

Take notice that on April 1, 1980, the United States Department of the Air Force (DAF) submitted for filing a motion to compel the Southern California Edison Company (Edison) to file contract FO 47007790015, between DAF and Edison, with the Commission.

DAF further requests that the Commission invalidate certain restrictions contained in the contract in question.

A copy of this filing has been served upon the affected parties.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All such petitions or protests should be filed on or before May 5, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12073 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. TA80-2-51 (PGA80-4)]

Great Lakes Gas Transmission Co.; Proposed Changes in FERC Gas Tariff Under Purchased Gas Adjustment Clause Provisions

April 14, 1980.

Take notice that Great Lakes Gas Transmission Company (Great Lakes), on March 31, 1980, tendered for filing the following tariff sheets to its FERC Gas Tariff.

First Revised Volume No. 1
Third Revised Sheet No. 55
Thirty-Sixth Revised Sheet No. 57
Original Volume No. 2

Second Revised Sheet No. 53-D
First Revised Sheet No. 78-C

The revised tariff sheets reflect (1) a purchased gas cost surcharge to be effective May 1, 1980 which results from maintaining an unrecovered purchased gas cost account for the period commencing September 1, 1979, and ending February 29, 1980 and (2) tariff provision changes to be effective October 1, 1979 to reflect the Commission's revised regulation pertaining to the computation of carrying charges on unrecovered purchased gas costs as provided in Order Nos. 47 and 47A.

Great Lakes also states that copies of this filing have been served upon its customers and the Public Service Commissions of Minnesota, Wisconsin and Michigan.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C., rules and practice and procedures (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 25, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12074 Filed 4-18-80; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ES80-45]

Idaho Power Co.; Application

April 14, 1980.

Take notice that on April 7, 1980, Idaho Power Company (Applicant), a corporation organized under the laws of the State of Maine, and qualified to transact business in the States of Idaho, Oregon, Nevada and Wyoming, with its principal business office at Boise, Idaho, filed an application with the Federal Energy Regulatory Commission, pursuant to Section 204 of the Federal Power Act, requesting authorization to enter into negotiations with respect to the issuance of up to 1,500,000 shares of Common Stock.

Any person desiring to be heard or to make any protest with reference to said application should, on or before May 5, 1980, file with the Federal Energy Regulatory Commission, Washington,

D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules. The application is on file with the Commission and available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12075 Filed 4-18-80; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER79-566]

Interstate Power Co.; Order Granting Motion for Permission To Collect Proposed Settlement Rates in Lieu of Filed Rates

Issued: April 14, 1980.

On March 25, 1980, Interstate Power company (Interstate) requested permission to collect proposed settlement rates in lieu of the rates originally filed in this proceeding.¹ Interstate represented that the City of St. Charles, Minnesota, a customer and intervenor, joined in this motion and that 9 of the other 18 affected customers have agreed to a proposed settlement.² The settlement rates would be collected, on an interim basis, from March 1, 1980, until such time as the Commission acts on the proposed settlement.

On March 28, 1980, Interstate submitted the proposed agreement, together with the documentation necessary to comply with § 1.18(e) of the regulations. Interstate and St. Charles have requested the presiding judge to certify the proposed agreement to the Commission for its immediate consideration. The proposed settlement rates produce substantially lower revenues than the filed rates.³

Pursuant to § 35.1(e) of the regulations, we find that good cause

¹ On August 1, 1979, IPC tendered for filing a proposed increase in rates for firm service to its nine wholesale customers. By order issued September 28, 1979, the Commission permitted the intervention of City of St. Charles and accepted the proposed rates for filing and suspended the effective date until March 1, 1980, when such rates became effective subject to refund.

² None of these other 18 customers are parties in Docket No. ER79-566.

³ The originally requested rate increase of \$569,820 for a calendar 1978 test year would be reduced to \$185,000 under the proposed settlement rates.

exists to permit the collection of proposed settlement rates as of March 1, 1980, until such time as we may act on the settlement agreement itself.⁴ If Interstate has collected the originally filed rates for any period since March 1, 1980, it shall immediately refund the difference to its customers with interest calculated pursuant to Order No. 47. This order shall be without prejudice to our subsequent determination on the merits of the proposed settlement. If we should disapprove the settlement, Interstate may thereafter collect the higher filed rate prospectively only. See *Public Service Company of Oklahoma*, Docket No. ER78-511, order of December 27, 1978.

The Commission orders: (A) Interstate Power Company may collect its proposed settlement rates in lieu of the rates originally filed in this proceeding, from March 1, 1980, until such time as we act on the proposed settlement agreement tendered by the parties on March 28, 1980.

(B) The Secretary shall promptly publish this order in the *Federal Register*.

By the Commission.
Kenneth F. Plumb,
Secretary.

Attachment A.—Interstate Power Co., Docket No. ER79-566

Filed: March 26, 1980.
Dated: March 10, 1980.
Effective: March 1, 1980 (Subject to Refund).

Rate Schedule Designations and Other Party

- (1) Third Revised Sheet No. 1 under FPC Electric Tariff, Original Volume No. 1 (Supersedes Second Revised Sheet No. 1)—All Tariff Customers, Original Volume No. 1.
- (2) Supplement No. 4 to Rate Schedule FPC No. 120 (Supersedes Supplement No. 3)—City of Bellevue, Iowa.
- (3) Supplement No. 2 to Supplement No. 3 to Rate Schedule FPC No. 116 (Supersedes Supplement No. 1 to Supplement No. 3)—City of Blue Earth, Minnesota.
- (4) Supplement No. 3 to Supplement No. 2 to Rate Schedule FPC No. 110 (Supersedes Supplement No. 2 to Supplement No. 2)—City of Independence, Iowa.
- (5) Supplement No. 2 to Supplement No. 3 to Rate Schedule FPC No. 104 (Supersedes Supplement No. 1 to Supplement No. 3)—City of McGregor, Iowa.
- (6) Supplement No. 2 to Supplement No. 2 to Rate Schedule FPC No. 40 (Supersedes Supplement No. 1 to Supplement No. 2)—City of Windom, Minnesota.

⁴ See Attachment A for rate schedule designations.

(7) Supplement No. 4 to Rate Schedule FPC No. 115 (Supersedes Supplement No. 3)—City of Strawberry Point, Iowa.

[FR Doc. 80-12078 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. TA80-2-46 (PGA80-2 and IPR80-2)]

Kentucky West Virginia Gas Co.; Proposed Change in Rates

April 14, 1980.

Take notice that Kentucky West Virginia Gas Company (Kentucky West) on April 1, 1980, tendered for filing with the Commission its Fifteenth Revised sheet No. 27 and First Revised Sheet No. 27A to its FERC Gas Tariff, First Revised Volume No. 1, to become effective May 1, 1980.

Kentucky West states that the change in rates results from the application of the Purchase Gas Cost Adjustment provision in Section 18. General Terms and Conditions of FERC Gas Tariff, First Revised Volume No. 1, approved by the Commission in Docket No. RP76-93 and is in compliance with the Order dated November 30, 1979, in which the Commission accepted for filing and suspended for five months until May 1, 1980, Kentucky West's proposed rate increase in Docket No. RP80-7 and is subject to refund pending final determination in Docket No. RP80-7.

Kentucky West states that a copy of its filing has been served upon its purchasers and interested state commissions and upon each party on the service list of Docket No. RP80-7.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protest should be filed on or before April 25, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12078 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket Nos. CS80-107, et al.]

Lorne E. Tjernagel, et al.; Applications for "Small Producer" Certificates¹

April 15, 1980.

Take notice that each of the Applicants listed herein has filed an application pursuant to Section 7(c) of the Natural Gas Act and § 157.40 of the Regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

It appears reasonable and consistent with the public interest in this case to prescribe a period shorter than 10 days for the filing of protests and petitions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should on or before April 24, 1980, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission in its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be

¹ This notice does not provide for consolidation for hearing of several matters covered herein.

unnecessary for Applicants to appear or be represented at the hearing.

Kenneth F. Plumb,
Secretary.

Docket No.	Date filed	Applicant
CS80-107	4/1/80	Lorne E. Tjernagel, P.O. Box 9158, Amarillo, Texas 79105.
CS80-108	4/1/80	B.R.W. Oil & Gas, P.O. Box 868, Borger, Texas 79007.
CS80-109	4/1/80	Energy Finders, Inc., 2800 Youree Dr., Suite 472, Shreveport, La. 71104.
CS80-110	4/1/80	Eli Rebich, 826 Fair Foundation Bldg., Tyler, Texas 75702.
CS80-111	4/3/80	Elahe Gas Company, P.O. Box 1386, Charleston, W. Va. 25325.
CS80-112	4/3/80	Taylor Operating Company, P.O. Box 126, Bridgeport, Texas 76026.
CS80-113	4/4/80	W. E. Sauer, 5710 W. Yellowstone, Casper, Wyoming 82601.
CS80-114	4/8/80	Bank of the Southwest National Association, Houston, Trustee Under the Will of Jesse Andrews, Deceased, but not Otherwise, Trust Petroleum & Minerals, Bank of the Southwest, P.O. Box 2629, Houston, Texas 77001.
CS80-115	4/8/80	Natural Energy Production Company, One Tandy Center, Suite 702, Fort Worth, Texas 76102.
CS80-116	4/8/80	James A. Payne, 4403 Briarcrest Drive, Norman, Oklahoma 73069.
CS80-117	4/8/80	D & D Gas Company, 1945 Parkwood Road, Charleston, W. Va. 25314.

[FR Doc. 80-12087 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. RP80-31]

National Fuel Gas Supply Corp.; Proposed Changes in Gas Tariff

April 14, 1980.

Take notice that on March 31, 1980, National Fuel Gas Supply Corporation (National Fuel) tendered for filing the following proposed changes in its Gas Tariff, to be effective December 1, 1979.

Original Volume No. 1

Original Sheet No. 36D and First Revised Sheet Nos. 37B and 37C superseding Original Sheet Nos. 37B and 37C respectively.

These corrective tariff sheets are issued to comply with order of the Federal Energy Regulatory Commission in Docket No. RP80-31 dated March 7, 1980, and received March 14, 1980, to provide the following: (1) a statement that incremental pricing surcharges are applicable to non-exempt users only, (2) a refund provision consistent with § 282.506 of the Commission's Regulations, and (3) a provision that incremental pricing surcharges billed to National Fuel are not included in the

Incremental Gas Acquisition Cost Account.

A copy of this filing was served on the following:

Mercer Gas Company, National Fuel Gas Distribution Corporation, Cook Gas Company, North East Heat & Light Company, The Peoples Natural Gas Company, Public Service Commission of the State of New York, Pennsylvania Public Utility Commission, Public Utilities Commission of Ohio.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 25, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12079 Filed 4-18-80; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ST79-6]**The Nueces Co. Complaint Seeking Termination of Sale**

April 14, 1980.

Take notice that on March 18, 1980, the Public Service Company of Colorado, Western Slope Gas Company and Cheyenne Light, Fuel and Power Company (Petitioners), filed a complaint with the Commission. The Petitioners seek the termination of the sale of natural gas by the Nueces Company (Nueces) to Colorado Interstate Gas Company pursuant to Section 311(b) of the Natural Gas Act of 1978 (NGPA) and 18 CFR 284.142. Petitioners alleged that the price charged by Nueces exceeds the amount authorized by 18 CFR 284.144. Petitioners have not requested an opportunity for an oral presentation.

NGPA Section 311(b)(6) and 18 CFR 284.147 provide the opportunity for the oral presentation of data, views and arguments, and for written comments. All written comments and requests for oral presentation of views on this issue shall be filed in this Docket on or before May 2, 1980, with the Secretary, Federal

Energy Regulatory Commission,
Washington, D.C. 20426.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12080 Filed 4-18-80; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. CP67-79]**Northern Natural Gas Co.; Filing Revised Tariff Sheets to Rate Schedule T-3**

April 14, 1980.

Take notice that on April 2, 1980, Northern Natural Gas Company filed the following revised tariff sheets to its Rate Schedule T-3 of its F.E.R.C. Gas Tariff, Original Volume No. 2:

Fourth Revised Sheet Nos. 153 and 154
First Revised Sheet No. 154a

Rate Schedule T-3 consists of the Vinegarone-Sonora Exchange Agreement dated February 11, 1958, as amended, between El Paso Natural Gas Company (El Paso) and Northern as successor in interest to Pioneer Gathering System, Inc., providing for an exchange of certain volumes of natural gas in the Vinegarone-Sonora Areas of Val Verde and Sutton Counties, Texas. Northern received Certificate Authority to perform this service at Docket No. CP67-79. The above-listed tariff sheets contain a revised Exhibit "B" which provides for the addition of the Cauthorn No. 1-F well. Northern has requested these tariff sheets to become effective thirty (30) days after receipt by F.E.R.C.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 25, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12081 Filed 4-18-80; 8:45 am]
BILLING CODE 6450-85-M

[Dockets Nos. RP79-57, RP72-154 (TA80-2-37, PGA 80-3 and IPR 80-2), DCA 80-1]

Northwest Pipeline Corp.; Change in Rates

April 14, 1980.

Take notice that on April 4, 1980, Northwest Pipeline Corporation ("Northwest") tendered for filing a notice of change in rates for its unauthorized overrun charge, pursuant to Commission Order dated March 31, 1980. Such order directed Northwest file with the Commission within fifteen (15) days of the issuance of said order, revised Alternate Twenty-sixth Revised Sheet No. 10, to reflect the proper amounts for the average purchase gas cost and the unauthorized overrun charge.

The change in rates are reflected in Substitute Alternate Twenty-sixth Revised Sheet No. 10 and Substitute Alternate First Revised Sheet No. 10-A, tendered herewith, and reduce Northwest's Unauthorized Overrun Charge from .446¢ per therm to .436¢ per therm and reduce Northwest's average purchased gas cost from 35.79¢ per therm to 32.399¢ per therm.

Northwest requests that the Commission waive the notice requirement of § 154.22 of its Regulations in order to allow the tendered tariff sheets to become effective April 1, 1980, the date authorized by the Commission in its March 31, 1980, Order mentioned above.

Copies of this filing were served upon the Company's jurisdictional customers and affected state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E. Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 2, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12082 Filed 4-18-80; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. ER80-336]

Ohio Power Co.; Filing

April 15, 1980.

The filing Company submits the following:

Take notice that Ohio Power Company (Ohio Power) on April 8, 1980 tendered for filing an agreement, dated as of March 7, 1980, between Ohio Power and Ohio Edison Company, supplementing an agreement between such companies dated June 20, 1968, designated Ohio Power Rate Schedule FPC No. 71 and as Ohio Edison Company Rate Schedule FPC No. 67.

Ohio Power states that the filing provides for the relocation of a delivery point under the 1968 agreement. According to Ohio Power, service at the relocated delivery point is expected to commence in April 1980 and Ohio Power requests waiver of the Commission's notice requirements and requests an effective date of April 1, 1980.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, Washington, D.C., N.E. 20426, in accordance with §§1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before May 13, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12084 Filed 4-18-80; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. CP80-65 etc.]

Tennessee Gas Pipeline Co. et al.; Technical Conference

April 14, 1980.

Tennessee Gas Pipeline Company A Division of Tenneco Inc., Docket No. CP80-65; National Fuel Gas Supply Corp. and National Gas Storage Corporation, et al., Docket No. CP78-492, et al.; Consolidated Gas Supply Corp., Docket No. CP80-260; Honeoye Storage Corporation, Docket No. CP80-277.

Take notice that on April 18, 1980, at 10:00 a.m., the Commission Staff will convene a further session of the informal technical conference begun

April 11, 1980 at the offices of the Federal Energy Regulatory Commission, 825 N. Capitol Street, N.E., Washington, D.C. 20426, to discuss the issues raised in the above-captioned dockets. By its application in Docket No. CP80-65 Tennessee seeks certificate authorization from the Commission to construct and operate certain facilities and to render certain transportation services for a number of its existing customers located in New England, New York and Pennsylvania in connection with related natural gas storage services which such customers propose to purchase from Consolidated Gas Supply Corporation (Consolidated), Honeoye Storage Corporation (Honeoye) and National Gas Storage Corporation (National). Tennessee proposes to transport top storage injection and withdrawal volumes for certain of its customers on a long-term firm basis and for others on a long-term best efforts basis in connection with such storage services. Tennessee also proposes to transport base gas injection volumes for certain of its customers on a short-term best efforts basis in connection with both Honeoye and National storage service.

Customers and other interested person will be permitted to attend, but if such persons have not previously been permitted to intervene in this matter by order of the Commission, attendance will not be deemed to authorize intervention as party in these proceedings.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12085 Filed 4-18-80; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. GP80-23]

Texas Gas Transmission Corp.; Third-Party Protests¹

Issued: April 15, 1980.

Take notice that in accordance with the procedures established by the Federal Energy Regulatory Commission (Commission) in Order No. 23-B,² and Order on Rehearing of Order No. 23-B,³ the staff of the Commission protested on April 8, 1980, the assertion by the Texas Gas Transmission Corporation (Texas Gas) and certain producers that the contracts identified in the protest constitute contractual authority for the producers to charge

¹ The term "third party protest" refers to a protest filed by a party who is not a party to the contract which is protested.

² "Order Adopting Final Regulations and Establishing Protest Procedure," Docket No. RM79-22, issued June 21, 1979.

³ Docket No. RM79-22, issued August 6, 1979.

and collect any applicable maximum lawful price under the Natural Gas Policy Act of 1978 (NGPA).

Staff stated that the language of the contracts contained in Appendix A of this notice does not constitute authority for the producer to increase prices to the extent claimed by Texas Gas in its evidentiary submission, filed on February 8, 1980.

Any person, other than the pipeline and the seller, desiring to be heard or to make any response with respect to these protests should file with the Commission, on or before April 29, 1980, a petition to intervene in accordance with 18 CFR 1.8. The seller need not file for intervention because under 18 CFR § 154.94(j)(4)(ii), the seller in the first sale is automatically joined as a party.
Kenneth F. Plumb,
Secretary.

Appendix A

Producer	Rate schedule/ contract date
Amoco Production Co.....	540/8-18-69
Texas Gas Exploration Corp.....	33/9-15-72
Eason Oil Company et al.....	8-10-60
Texas Gas Exploration Corp.....	1/12-17-73
Getty Oil Co.....	236/7-1-52
Getty Oil Co.....	237/8-1-52
Energy Reserves Group, Inc.....	115/12-16-58
Gulf Oil Corporation.....	455/7-11-78
Delta Drilling Company.....	7/12-1-78
Texaco Inc.....	583/12-12-78
Texaco Inc.....	519/5-1-75
Texaco Inc.....	445/4-13-70
CNG Producing Co.....	10/10-14-68
Texas Gas Exploration Corp.....	27/2-14-69
Texas Gas Exploration Corp.....	54/9-22-78
Texas Gas Exploration Corp.....	53/9-20-78
Texas Gas Exploration Corp.....	48/2-21-78
Texas Gas Exploration Corp.....	46/1-23-78
Union Oil of California.....	237/9-2-77
Union Oil of California.....	250/10-3-78

[FR Doc. 80-12086 Filed 4-18-80; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. RP78-88]

Transwestern Pipeline Co.; Denial of Appeal

Issued April 14, 1980.

Take notice that the Commission agreed at its meeting of April 11, 1980, to take no action on Transwestern Pipeline Company's appeal, dated March 14, 1980, of a ruling issued by the presiding judge in the above-captioned proceeding on March 4, 1980.

Accordingly Transwestern's appeal is deemed denied pursuant to § 1.28(c) of the Commission's rules of practice and procedure.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12088 Filed 4-18-80; 8:45 am]
BILLING CODE 6450-85-M

[Docket No. TA80-2-50 (PGA80-2)]**Valley Gas Transmission, Inc.;
Purchased Gas Cost Adjustment Filing**

April 14, 1980.

Valley Gas Transmission, Inc. ("Valley"), on April 3, 1980, submitted for filing as part of its FERC Gas Tariff, Original Volume No. 1, its proposed "Seventeenth Revised Sheet No. 2A". The proposed effective date is May 1, 1980.

Valley states that this tariff sheet is filed pursuant to its currently effective Purchased Gas Cost Adjustment Provision. The proposed changes involve Valley's "Current Surcharge Adjustment" and "Current Gas Cost Adjustment." The adjustments are supported by computations attached to the filing.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before April 25, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken, but will serve to make protestants parties to the proceedings. Any person wishing to become a party must file a petition to intervene. Copies of the filing are on file with the Commission and available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12090 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-85-M

[Docket No. EL80-25]**Village of Winnetka, Illinois v.
Commonwealth Edison Co.; Complaint**

April 14, 1980.

The filing party submits the following:

Take notice that on March 31, 1980, the Village of Winnetka, Illinois (Winnetka) filed a complaint against Commonwealth Edison Company (Edison).

In its complaint, Winnetka alleges that Edison violated Section 205(c) of the Federal Power Act, and 18 CFR § 35.1(a), by changing its practices without first notifying the Commission.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance

with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All such petitions or protests should be filed on or before May 12, 1980. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12091 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-85-M

[No. 180]**Determinations by Jurisdictional
Agencies Under the Natural Gas Policy
Act of 1978**

Issued April 15, 1980.

The Federal Energy Regulatory Commission received notices from the jurisdictional agencies listed below of determinations pursuant to 18 CFR 274.104 and applicable to the indicated wells pursuant to the Natural Gas Policy Act of 1978.

**Ohio Department of Natural Resources,
Division of Oil and Gas**

1. Control Number (FERC/State)
2. API Well Number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)

1. 80-23063
2. 34-167-23991-0014
3. 108 000 000
4. Cline Oil & Gas Co
5. Roff #1
- 6.
7. Washington, OH
8. 2.3 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp

1. 80-23064
2. 34-059-21657-0014
3. 108 000 000
4. Mammoth Producing Corp
5. R Nichols #1
6. Antrim
7. Guernsey, OH
8. 6.0 million cubic feet
9. March 31, 1980
10. The East Ohio Gas Co

1. 80-23065
2. 34-059-21659-0014
3. 108 000 000
4. Mammoth Producing Corp
5. Tuttle-Moore Unit #1
6. Antrim
7. Guernsey, OH

8. 3.5 million cubic feet
9. March 31, 1980
10. The East Ohio Gas Co
1. 80-23066
2. 34-059-21658-0014
3. 108 000 000
4. Mammoth Producing Corp
5. M E Bates #1
6. Birmingham
7. Guernsey, OH
8. 12.5 million cubic feet
9. March 31, 1980
10. The East Ohio Gas Co
1. 80-23068
2. 34-059-21687-0014
3. 108 000 000
4. Mammoth Producing Corp
5. W Jeffers #1
6. Birmingham
7. Guernsey, OH
8. 5.5 million cubic feet
9. March 31, 1980
10. The East Ohio Gas Co

1. 80-23069
2. 34-059-21688-0014
3. 108 000 000
4. Mammoth Producing Corp
5. W Kimble #1
6. Antrim
7. Guernsey, OH
8. 6.5 million cubic feet
9. March 31, 1980
10. The East Ohio Gas Co

1. 80-23070
2. 34-059-21686-0014
3. 108 000 000
4. Mammoth Producing Corp
5. Patterson Unit #1
6. Winterset
7. Guernsey, OH
8. 6.0 million cubic feet
9. March 31, 1980
10. The East Ohio Gas Co

1. 80-23071
2. 34-059-21709-0014
3. 108 000 000
4. Mammoth Producing Corp
5. R Chase #1
6. Birmingham
7. Guernsey, OH
8. 10.0 million cubic feet
9. March 31, 1980
10. The East Ohio Gas Co

1. 80-23072
2. 34-059-21811-0014
3. 108 000 000
4. Mammoth Producing Corp
5. R Hayes #1
6. Birmingham
7. Guernsey, OH
8. 7.0 million cubic feet
9. March 31, 1980
10. The East Ohio Gas Co

1. 80-23073
2. 34-059-21604-0014
3. 108 000 000
4. Mammoth Producing Corp
5. J Bird #1
6. Birmingham
7. Guernsey, OH
8. 14.0 million cubic feet
9. March 31, 1980
10. The East Ohio Gas Co
1. 80-23074

2. 34-059-21647-0014
 3. 108 000 000
 4. Mammoth Producing Corp
 5. H Bair #1
 6. Birmingham
 7. Guernsey, OH
 8. 8.0 million cubic feet
 9. March 31, 1980
 10. The East Ohio Gas Co
 1. 80-23075
 2. 34-059-21649-0014
 3. 108 000 000
 4. Mammoth Producing Corp
 5. Cole-Dacar #1
 6. Birmingham
 7. Guernsey, OH
 8. 15.5 million cubic feet
 9. March 31, 1980
 10. The East Ohio Gas Co
 1. 80-23076
 2. 34-059-21651-0014
 3. 108 000 000
 4. Mammoth Producing Corp
 5. J Wheeler #1
 6. Antrim
 7. Guernsey, OH
 8. 6.5 million cubic feet
 9. March 31, 1980
 10. The East Ohio Gas Co
 1. 80-23077
 2. 34-105-21553-0014
 3. 108 000 000
 4. Talbott Oil & Gas Co
 5. Bernard Higley et al #1
 6.
 7. Meigs, OH
 8. 5.6 million cubic feet
 9. March 31, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23078
 2. 34-167-24108-0014
 3. 108 000 000
 4. Cline Oil & Gas Co
 5. Morris #2
 6.
 7. Washington, OH
 8. 10.6 million cubic feet
 9. March 31, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23079
 2. 34-105-21565-0014
 3. 108 000 000
 4. Talbott Oil & Gas Co
 5. K R Keesce 1
 6.
 7. Meigs, OH
 8. 5.6 million cubic feet
 9. March 31, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23080
 2. 34-105-21567-0014
 3. 108 000 000
 4. Talbott Oil & Gas Co
 5. Light Warmke Enterprises #1
 6.
 7. Meigs, OH
 8. 7.0 million cubic feet
 9. March 31, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23081
 2. 34-105-21652-0014
 3. 108 000 000
 4. Talbott Oil & Gas Co
 5. Nick Grueser #1
 6.

7. Meigs, OH
 8. 5.6 million cubic feet
 9. March 31, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23082
 2. 34-105-21663-0014
 3. 108 000 000
 4. Talbott Oil & Gas Co
 5. Virginia Vitatoe #2
 6.
 7. Meigs, OH
 8. 5.6 million cubic feet
 9. March 31, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23083
 2. 34-105-21623-0014
 3. 108 000 000
 4. Talbott Oil & Gas Co
 5. George L Wright #1
 6.
 7. Meigs, OH
 8. 5.6 million cubic feet
 9. March 31, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23084
 2. 34-105-21662-0014
 3. 108 000 000
 4. Talbott Oil & Gas Co
 5. George Wright #2
 6.
 7. Meigs, OH
 8. 5.6 million cubic feet
 9. March 31, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23085
 2. 34-105-21557-0014
 3. 108 000 000
 4. Talbott Oil & Gas Co
 5. Bernard Higley et al #2
 6.
 7. Meigs, OH
 8. 5.6 million cubic feet
 9. March 31, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23086
 2. 34-105-21628-0014
 3. 108 000 000
 4. Talbott Oil & Gas Co
 5. Virginia Vitatoe #1
 6.
 7. Meigs, OH
 8. 5.6 million cubic feet
 9. March 31, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23087
 2. 34-169-21518-0014
 3. 108 000 000
 4. William F Hill
 5. Raber #3
 6.
 7. Wayne, OH
 8. 1.8 million cubic feet
 9. March 31, 1980
 10. Ohio Fuel Gas
 1. 80-23088
 2. 34-169-21637-0014
 3. 108 000 000
 4. William F Hill
 5. Whonsettler (Raber) #1
 6.
 7. Wayne, OH
 8. 1.8 million cubic feet
 9. March 31, 1980
 10. Ohio Fuel Gas
 1. 80-23089

2. 34-157-22299-0014
 3. 108 000 000
 4. Great Lakes Gas Corp
 5. L E & W F Wallick #5
 6.
 7. Tuscarawas OH
 8. 13.0 million cubic feet
 9. March 31, 1980
 10. East Ohio Gas Co
 1. 80-23090
 2. 34-007-20233-0014
 3. 108 000 000
 4. Jud Noble & Associates Inc
 5. Rhodes #1
 6. Lenox
 7. Ashtabula OH
 8. 4.5 million cubic feet
 9. March 31, 1980
 10. East Ohio Gas Co
 1. 80-23091
 2. 34-007-20935-0014
 3. 103 000 000
 4. Chanse Petroleum Corp
 5. John Harnist #2
 6.
 7. Ashtabula OH
 8. 6.0 million cubic feet
 9. March 31, 1980
 10.
 1. 80-23092
 2. 34-019-21045-0014
 3. 103 000 000
 4. MB Operating Co Inc
 5. K Thompson U #1
 6.
 7. Carroll OH
 8. 18.3 million cubic feet
 9. March 31, 1980
 10. Republic Steel Corp
 1. 80-23093
 2. 34-019-21281-0014
 3. 103 000 000
 4. MB Operating Co Inc
 5. Smith Nursery #3
 6.
 7. Carroll OH
 8. 25.6 million cubic feet
 9. March 31, 1980
 10. Republic Steel Corp
 1. 80-23094
 2. 34-031-23694-0014
 3. 103 000 000
 4. LBJ Drilling
 5. Jean Boyd #1
 6.
 7. Coshocton OH
 8. .0 million cubic feet
 9. March 31, 1980
 10.
 1. 80-23095
 2. 34-059-21472-0014
 3. 108 000 000
 4. Davis Frac Tanks & Supply
 5. John M Waggoner #1
 6.
 7. Guernsey OH
 8. 5.0 million cubic feet
 9. March 31, 1980
 10. East Ohio Gas
 1. 80-23096
 2. 34-059-21479-0014
 3. 108 000 000
 4. Davis Frac Tanks & Supply
 5. V H Titus #1
 6.

7. Guernsey OH
8. 9.0 million cubic feet
9. March 31, 1980
10. East Ohio Gas Co
1. 80-23097
2. 34-059-22540-0000
3. 103 000 000
4. Tiger Oil Inc
5. Mary Slasor #2
- 6.
7. Guernsey OH
8. 20.0 million cubic feet
9. March 31, 1980
10. East Ohio Gas Co
1. 80-23098
2. 34-075-22154-0014
3. 103 000 000
4. Rowley & Brown Pet Corp
5. Pahoundis #1
- 6.
7. Holmes OH
8. 73.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23099
2. 34-075-22319-0014
3. 103 000 000
4. Morgan-Pennington Inc
5. Draman No 1
- 6.
7. Holmes OH
8. 14.6 million cubic feet
9. March 31, 1980
10. East Ohio Gas Co
1. 80-23100
2. 34-075-22323-0014
3. 103 000 000
4. Ponderosa Oil Co
5. Fernando Mata #1
- 6.
7. Holmes OH
8. 12.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23101
2. 34-075-22351-0014
3. 108 000 000
4. Amtex Oil and Gas Inc
5. Jos J Miller No 2A
- 6.
7. Holmes OH
8. .3 million cubic feet
9. March 31, 1980
- 10.
1. 80-23102
2. 34-075-22361-0014
3. 103 000 000
4. Edco Drilling & Producing Inc
5. #1A Marmet
- 6.
7. Holmes OH
8. 18.0 million cubic feet
9. March 31, 1980
- 10.
1. 80-23103
2. 34-083-21905-0014
3. 108 000 000
4. J P White
5. F Hill #1
- 6.
7. Knox OH
8. 2.3 million cubic feet
9. March 31, 1980
- 10.
1. 80-23104
2. 34-099-20121-0014
3. 108 000 000
4. Barnum Leon E
5. R Miller #1
- 6.
7. Mahoning OH
8. 14.4 million cubic feet
9. March 31, 1980
10. East Ohio Gas Co
1. 80-23105
2. 34-099-20276-0014
3. 108 000 000
4. Noble Gas Co
5. Myers Harold #2
- 6.
7. Mahoning OH
8. 10.0 million cubic feet
9. March 31, 1980
10. East Ohio Gas Co
1. 80-23106
2. 34-099-21207-0014
3. 103 000 000
4. 7th Street Investment Associates
5. John Bayless #3
- 6.
7. Mahoning County OH
8. 28.0 million cubic feet
9. March 31, 1980
- 10.
1. 80-23107
2. 34-099-21212-0014
3. 103 000 000
4. Viking Resources Corp
5. Hammond-McMath Unit #2
- 6.
7. Mahoning OH
8. 30.0 million cubic feet
9. March 31, 1980
- 10.
1. 80-23108
2. 34-099-21213-0014
3. 103 000 000
4. Viking Resources Corp
5. Hammond-McMath Unit #3
- 6.
7. Mahoning OH
8. 30.0 million cubic feet
9. March 31, 1980
- 10.
1. 80-23109
2. 34-103-21947-0014
3. 103 000 000
4. Joseph J Smith & Sons
5. Joseph Smith #3
- 6.
7. Medina OH
8. 70.0 million cubic feet
9. March 31, 1980
10. True Temper Corp
1. 80-23110
2. 34-103-21948-0014
3. 103 000 000
4. Joseph J Smith & Sons
5. Koontz #2
- 6.
7. Medina OH
8. 50.0 million cubic feet
9. March 31, 1980
10. True Temper Corp
1. 80-23112
2. 34-105-21033-0014
3. 108 000 000
4. William H Putnam
5. Chloe Mills #1
- 6.
7. Meigs OH
8. .9 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23113
2. 34-111-21973-0014
3. 103 000 000
4. Lauderman Oil & Gas Drilling
5. Mary Decker #1
- 6.
7. Monroe OH
8. 11.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23114
2. 34-115-21641-0014
3. 102 000 000
4. Oneal Productions Inc
5. Huck #2
- 6.
7. Morgan OH
8. 27.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23115
2. 34-115-21716-0014
3. 108 000 000
4. Minuteman Exploration Co
5. Mautz #1
- 6.
7. Morgan OH
8. 6.6 million cubic feet
9. March 31, 1980
10. East Ohio Gas Co
1. 80-23116
2. 34-115-21717-0014
3. 108 000 000
4. Minuteman Exploration Co
5. Williams #1
- 6.
7. Morgan OH
8. 6.4 million cubic feet
9. March 31, 1980
10. East Ohio Gas Co
1. 80-23117
2. 34-115-21725-0014
3. 108 000 000
4. Minuteman Exploration Co
5. Cordray #1A
- 6.
7. Morgan OH
8. 3.7 million cubic feet
9. March 31, 1980
10. East Ohio Gas Co
1. 80-23118
2. 34-115-21727-0014
3. 108 000 000
4. Minuteman Exploration Co
5. T Ross #1A
- 6.
7. Morgan OH
8. 6.3 million cubic feet
9. March 31, 1980
10. East Ohio Gas Co
1. 80-23119
2. 34-115-21836-0014
3. 103 000 000
4. The Oxford Oil Co
5. Robert L Reed #1
- 6.
7. Morgan OH
8. 10.0 million cubic feet
9. March 31, 1980
- 10.
1. 80-23120

2. 34-115-21875-0014
3. 102 000 000
4. Oneal Productions Inc
5. J Hart #1
- 6.
7. Morgan OH
8. 18.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23121
2. 34-115-21880-0014
3. 102 000 000
4. Oneal Production Inc
5. O Erich #1
- 6.
7. Morgan OH
8. 22.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23122
2. 34-115-21885-0014
3. 102 000 000
4. Oneal Production Inc
5. Huck #7
- 6.
7. Morgan OH
8. 30.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23123
2. 34-115-21902-0014
3. 102 000 000
4. Oneal Productions Inc
5. Huck #4
- 6.
7. Morgan OH
8. 60.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23124
2. 34-115-21913-0014
3. 102 000 000
4. Oneal Productions Inc
5. R Newberry #1
- 6.
7. Morgan OH
8. 25.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23125
2. 34-115-21917-0014
3. 102 000 000
4. Oneal Productions Inc
5. Triplett #
- 6.
7. Morgan OH
8. 5.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23126
2. 34-115-21918-0014
3. 102 000 000
4. Oneal Productions Inc
5. Andrews #1
- 6.
7. Morgan OH
8. 20.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23127
2. 34-115-21920-0014
3. 102 000 000
4. Oneal Productions Inc
5. Kennard #1
- 6.
7. Morgan OH
8. 50.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23128
2. 34-115-21925-0014
3. 102 000 000
4. Oneal Productions Inc
5. Paul Wood #1
- 6.
7. Morgan OH
8. 23.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23129
2. 34-115-21966-0014
3. 102 000 000
4. Oneal Productions Inc
5. R Newberry #2
- 6.
7. Morgan OH
8. 30.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23130
2. 34-115-21988-0014
3. 102 000 000
4. Oneal Productions Inc
5. Frank Mills #1
- 6.
7. Morgan OH
8. 18.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23131
2. 34-115-22004-0014
3. 102 000 000
4. Oneal Productions Inc
5. R Roberts #2
- 6.
7. Morgan OH
8. 25.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23132
2. 34-115-22007-0014
3. 102 000 000
4. Oneal Productions Inc
5. Showalter #1
- 6.
7. Morgan OH
8. 25.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23133
2. 34-115-22022-0014
3. 102 000 000
4. Oneal Productions Inc
5. Clark #1
- 6.
7. Morgan OH
8. 90.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23134
2. 34-115-22024-0014
3. 102 000 000
4. Oneal Productions Inc
5. Gifford #2
- 6.
7. Morgan OH
8. 30.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23135
2. 34-119-2877-0014
3. 108 000 000
4. Fortune Gas and Oil Inc
5. Ross-Prouty #1
- 6.
7. Muskingum OH
8. 2.5 million cubic feet
9. March 31, 1980
10. The East Ohio Gas Company
1. 80-23136
2. 34-119-22903-0014
3. 108 000 000
4. Fortune Gas and Oil Inc
5. Prouty #1
- 6.
7. Muskingum OH
8. 12.0 million cubic feet
9. March 31, 1980
10. East Ohio Gas Company
1. 80-23137
2. 34-119-24205-0014
3. 103 000 000
4. Amac Inc
5. Carrie Batteiger #1
- 6.
7. Muskingum OH
8. 4.0 million cubic feet
9. March 31, 1980
10. National Gas Inc
1. 80-23138
2. 34-119-24280-0014
3. 103 000 000
4. The Benatty Corp
5. R Hunter #1
- 6.
7. Muskingum OH
8. 25.0 million cubic feet
9. March 31, 1980
10. National Gas & Oil Corp
1. 80-23139
2. 34-119-25025-0014
3. 103 000 000
4. Irvin Producing Co
5. Timothy Kimpel #2
- 6.
7. Muskingum OH
8. 10.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23140
2. 34-121-21317-0014
3. 108 000 000
4. Noble Gas Co
5. Buckey-Raynor #1
- 6.
7. Noble OH
8. 3.0 million cubic feet
9. March 31, 1980
10. East Ohio Gas Co
1. 80-23141
2. 34-121-21381-0080
3. 108 000 000
4. Noble Gas Co
5. Hedge Lewis #2
- 6.
7. Noble OH
8. 5.0 million cubic feet
9. March 31, 1980
10. East Ohio Gas Co
1. 80-23142
2. 34-121-21400-0014
3. 108 000 000
4. Noble Gas Co
5. Long Edgar #1
- 6.

7. Noble OH
8. 13.0 million cubic feet
9. March 31, 1980
10. East Ohio Company
1. 80-23143
2. 34-121-21427-0014
3. 108 000 000
4. Noble Gas Co
5. Stoneking Charles #2
6.
7. Noble OH
8. 13.0 million cubic feet
9. March 31, 1980
10. East Ohio Co
1. 80-23144
2. 34-121-21445-0014
3. 108 000 000
4. Noble Gas Co
5. Haines Harold #3
6.
7. Noble OH
8. 16.0 million cubic feet
9. March 31, 1980
10. East Ohio Co
1. 80-23145
2. 34-121-21493-0014
3. 108 000 000
4. Davis Frac Tanks & Supply
5. B & E Davis #1
6.
7. Noble OH
8. 4.0 million cubic feet
9. March 31, 1980
10. East Ohio Co
1. 80-23146
2. 34-121-21498-0014
3. 108 000 000
4. Davis Frac Tanks & Supply
5. Franklin Real Estate #2
6.
7. Noble OH
8. 4.0 million cubic feet
9. March 31, 1980
10. East Ohio Co
1. 80-23147
2. 34-121-21499-0014
3. 108 000 000
4. Davis Frac Tanks & Supply
5. Franklin Real Estate #1
6.
7. Noble OH
8. 19.0 million cubic feet
9. March 31, 1980
10. East Ohio Co
1. 80-23148
2. 34-121-21500-0014
3. 108 000 000
4. Davis Frac Tanks & Supply
5. E R Keyser #1
6.
7. Noble OH
8. 8.0 million cubic feet
9. March 31, 1980
10. East Ohio Co
1. 80-23149
2. 34-121-21543-0014
3. 108 000 000
4. Davis Frac Tanks & Supply
5. B & E Davis #2
6.
7. Noble OH
8. 4.0 million cubic feet
9. March 31, 1980
10. East Ohio Co
1. 80-23150

2. 34-121-22246-0014
3. 103 000 000
4. Thunderbird Petroleum Development C
5. Stanley Butcher #3
6.
7. Noble OH
8. 50.0 million cubic feet
9. March 31, 1980
10.
1. 80-23151
2. 34-127-24484-0014
3. 103 000 000
4. Altheirs Oil Inc
5. Clarence Kockensparger #1
6. Pike Twp
7. Perry OH
8. 10.0 million cubic feet
9. March 31, 1980
10. Foraker Gas Co
1. 80-23152
2. 34-127-24513-0014
3. 103 000 000
4. Geo Energy Inc
5. Harry Kelber #1
6.
7. Perry OH
8. 6.0 million cubic feet
9. March 31, 1980
10.
1. 80-23153
2. 34-127-24573-0014
3. 103 000 000
4. George W Sharp
5. Paul Caito #4
6.
7. Perry OH
8. 10.0 million cubic feet
9. March 31, 1980
10. National Gas & Oil Corp
1. 80-23154
2. 34-127-24660-0014
3. 103 000 000
4. Bethel Resources Inc
5. Joseph Benedict #1-A
6.
7. Perry OH
8. 12.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23155
2. 34-133-21589-0014
3. 103 000 000
4. MB Operating Co Inc
5. J & J Bixler #1
6.
7. Portage OH
8. 5.5 million cubic feet
9. March 31, 1980
10. Republic Steel Corp
1. 80-23156
2. 34-151-21092-0014
3. 108 000 000
4. Dalton & Hanna Co
5. Eugenia Stringfellow #1
6.
7. Stark OH
8. 8.0 million cubic feet
9. March 31, 1980
10. East Ohio Gas Co
1. 80-23157
2. 34-151-21449-0014
3. 108 000 000
4. Donald W Geitgey Jr
5. Zorger #1
6.

7. Stark OH
8. 1.9 million cubic feet
9. March 31, 1980
10. East Ohio
1. 80-23158
2. 34-151-21635-0014
3. 108 000 000
4. Green Gas Co
5. George & Eliz Regopoulos #4
6.
7. Stark OH
8. 7 million cubic feet
9. March 31, 1980
10. East Ohio Gas Co
1. 80-23159
2. 34-151-21650-0014
3. 108 000 000
4. Green Gas Co
5. Andrew Comsia #1
6.
7. Stark OH
8. 1.0 million cubic feet
9. March 31, 1980
10. East Ohio Gas Co
1. 80-23160
2. 34-151-22863-0014
3. 103 000 000
4. MB Operating Co Inc
5. L Underwood #1
6.
7. Stark OH
8. 63.9 million cubic feet
9. March 31, 1980
10. Republic Steel Corp
1. 80-23161
2. 34-151-22867-0014
3. 103 000 000
4. MB Operating Co Inc
5. Wittmer unit #1
6.
7. Stark OH
8. 9.1 million cubic feet
9. March 31, 1980
10. Republic Steel Corp
1. 80-23162
2. 34-151-22964-0014
3. 103 000 000
4. New Frontier Exploration Inc
5. Henning-Kiko unit #2
6.
7. Stark OH
8. 24.0 million cubic feet
9. March 31, 1980
10.
1. 80-23163
2. 34-151-22981-0014
3. 103 000 000
4. MB Operating Co Inc
5. W & M Byler U #1
6.
7. Stark OH
8. 29.2 million cubic feet
9. March 31, 1980
10. Republic Steel Corp
1. 80-23164
2. 34-151-23015-0014
3. 103 000 000
4. MB Operating Co Inc
5. B & M Rottman U #1
6.
7. Stark OH
8. 73.0 million cubic feet
9. March 31, 1980
10. Republic Steel Corp
1. 80-23165

2. 34-151-23019-0014
3. 130 000 000
4. MB Operating Co Inc
5. H Fierstos #2
- 6.
7. Stark OH
8. 43.8 million cubic feet
9. March 31, 1980
10. Republic Steel Corp
1. 80-23166
2. 34-151-23068-0014
3. 103 000 000
4. MB Operating Co Inc
5. J Bixler U #1-A
- 6.
7. Stark OH
8. 65.7 million cubic feet
9. March 31, 1980
10. Republic Steel Corp
1. 80-23167
2. 34-151-23093-0014
3. 103 000 000
4. Viking Resources Corp
5. H Wolfe #7
- 6.
7. Stark OH
8. 30.0 million cubic feet
9. March 31, 1980
- 10.
1. 80-23168
2. 34-151-23103-0014
3. 103 000 000
4. Buckeye Oil Producing Co
5. Bowers #2
- 6.
7. Stark OH
8. 20.0 million cubic feet
9. March 31, 1980
10. The East Ohio Gas Company
1. 80-23169
2. 34-155-21263-0014
3. 102 000 000
4. Atlas Energy Group Inc
5. Michetti No 2—#0585
- 6.
7. Trumbull OH
8. 31.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission
1. 80-23170
2. 34-155-21421-0014
3. 103 000 000
4. Atlas Energy Group Inc
5. Sloas No 3—#0308
- 6.
7. Trumbull OH
8. 29.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission
1. 80-23171
2. 34-157-21428-0014
3. 108 000 000
4. Loyd Dalton & William N Tipka
5. R & V Horrisberger et al #1
- 6.
7. Tuscarawas OH
8. 6.0 million cubic feet
9. March 31, 1980
10. East Ohio Gas Company
1. 80-23172
2. 34-157-21478-0014
3. 108 000 000
4. Loyd Dalton & William N Tipka
5. P & M Young #1
- 6.
7. Tuscarawas OH
8. 3.0 million cubic feet
9. March 31, 1980
10. East Ohio Gas Company
1. 80-23173
2. 34-157-21511-0014
3. 108 000 000
4. Loyd Dalton & William N Tipka
5. William Spring #1
- 6.
7. Tuscarawas OH
8. 2.0 million cubic feet
9. March 31, 1980
10. East Ohio Gas Company
1. 80-23174
2. 34-157-21512-0014
3. 108 000 000
4. Loyd Dalton & William Tipka
5. Richard D Wood #1
- 6.
7. Tuscarawas OH
8. .0 million cubic feet
9. March 31, 1980
10. East Ohio Gas Company
1. 80-23175
2. 34-157-23191-0014
3. 103 000 000
4. MB Operating Co Inc
5. J Bailey #1
- 6.
7. Tuscarawas OH
8. 1.1 million cubic feet
9. March 31, 1980
10. Republic Steel Corp
1. 80-23176
2. 34-157-23324-0014
3. 103 000 000
4. MB Operating Co Inc
5. N & C Fry #1
- 6.
7. Tuscarawas OH
8. 27.4 million cubic feet
9. March 31, 1980
10. Republic Steel Corp
1. 80-23177
2. 34-157-23328-0014
3. 103 000 000
4. MB Operating Co Inc
5. R Gintz #1
- 6.
7. Tuscarawas OH
8. 25.6 million cubic feet
9. March 31, 1980
10. Republic Steel Corp
1. 80-23178
2. 34-157-23354-0014
3. 103 000 000
4. MB Operating Co Inc
5. R & D Cross #1
- 6.
7. Tuscarawas OH
8. 29.2 million cubic feet
9. March 31, 1980
10. Republic Steel Corp
1. 80-23179
2. 34-157-23379-0014
3. 103 000 000
4. MB Operating Co Inc
5. J & C Semon #1
- 6.
7. Tuscarawas OH
8. 11.0 million cubic feet
9. March 31, 1980
10. Republic Steel Corp
1. 80-23180
2. 34-167-23576-0014
3. 108 000 000
4. Winston Oil Co
5. Richard Henthorn #2
- 6.
7. Washington, OH
8. 3.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Trans Corp
1. 80-23181
2. 34-167-23605-0014
3. 108 000 000
4. Winston Oil Co
5. Glen Sprague #1
- 6.
7. Washington OH
8. 3.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Trans Corp
1. 80-23182
2. 34-167-23606-0014
3. 108 000 000
4. Winston Oil Co
5. Esther Boyer #1
- 6.
7. Washington, OH
8. 7.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Trans Corp
1. 80-23183
2. 34-167-23817-0014
3. 108 000 000
4. Winston Oil Co
5. Esther Boyer #3
- 6.
7. Washington, OH
8. 8.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Trans Corp
1. 80-23184
2. 34-167-24006-0014
3. 108 000 000
4. Winston Oil Co
5. T H Walls #1
- 6.
7. Washington, OH
8. 7.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Trans Corp
1. 80-23185
2. 34-167-24024-0014
3. 108 000 000
4. Winston Oil Co
5. Richard Henthorn #4
- 6.
7. Washington, OH
8. 1.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Trans Corp
1. 80-23186
2. 34-167-24120-0014
3. 103 000 000
4. Dolpha Anderson
5. Windland-Newell #1
6. Vincent
7. Washington, OH
8. 3.6 million cubic feet
9. March 31, 1980
10. Columbia
1. 80-23187
2. 34-167-24203-0014
3. 103 000 000
4. L & M Petroleum
5. Vincent Lang #1
- 6.

7. Washington, OH
8. 12.8 million cubic feet
9. March 31, 1980
10. Gas Transport Inc
1. 80-23188
2. 34-167-24231-0014
3. 103 000 000
4. Dolpha Anderson
5. Hannan #1
6. Vincent
7. Washington, OH
8. 3.6 million cubic feet
9. March 31, 1980
10. Columbia
1. 80-23189
2. 34-167-24254-0014
3. 103 000 000
4. L & M Petroleum
5. Earl Mollohan #1
6.
7. Washington, OH
8. 12.8 million cubic feet
9. March 31, 1980
10. Gas Transport Inc
1. 80-23190
2. 34-167-24266-0014
3. 103 000 000
4. L & M Petroleum
5. William Schilling #1
6.
7. Washington, OH
8. 12.8 million cubic feet
9. March 31, 1980
10. Gas Transport Inc
1. 80-23191
2. 34-167-24275-0014
3. 103 000 000
4. Lauderman Oil & Gas Drilling
5. Dana Bee Bee #1
6.
7. Washington, OH
8. 7.3 million cubic feet
9. March 31, 1980
10. River Gas Co
1. 80-23192
2. 34-167-24415-0014
3. 103 000 000
4. L & M Petroleum
5. Walter Schaad #3
6.
7. Washington, OH
8. 12.8 million cubic feet
9. March 31, 1980
10. Gas Transport Inc
1. 80-23193
2. 34-167-24416-0014
3. 103 000 000
4. L & M Petroleum
5. Ralph Pottmeyer #1
6.
7. Washington, OH
8. 12.8 million cubic feet
9. March 31, 1980
10. Gas Transport Inc
1. 80-23194
2. 34-167-24421-0014
3. 103 000 000
4. L & M Petroleum
5. John Paul Reed #2
6.
7. Washington, OH
8. 12.8 million cubic feet
9. March 31, 1980
10. Gas Transport Inc
1. 80-23195

2. 34-167-24488-0014
3. 103 000 000
4. L & M Petroleum
5. George Lang #2
6.
7. Washington, OH
8. 12.8 million cubic feet
9. March 31, 1980
10. Gas Transport Inc
1. 80-23196
2. 34-167-24489-0014
3. 103 000 000
4. L & M Petroleum
5. George Lang #1
6.
7. Washington, OH
8. 12.8 million cubic feet
9. March 31, 1980
10. Gas Transport Inc
1. 80-23197
2. 34-167-24490-0014
3. 103 000 000
4. L & M Petroleum
5. David Schilling #3
6.
7. Washington, OH
8. 12.8 million cubic feet
9. March 31, 1980
10. Gas Transport Inc
1. 80-23198
2. 34-167-24504-0014
3. 103 000 000
4. L & M Petroleum
5. Andrew Rauch #2
6.
7. Washington, OH
8. 12.8 million cubic feet
9. March 31, 1980
10. Gas Transport Inc
1. 80-23199
2. 34-167-24584-0014
3. 103 000 000
4. L & M Petroleum
5. Harold Rauch #1
6.
7. Washington, OH
8. 12.8 million cubic feet
9. March 31, 1980
10. Gas Transport Inc
1. 80-23200
2. 34-167-24594-0014
3. 103 000 000
4. Quadrant Exploration Corp
5. William & Joetta Ferrell #5
6.
7. Washington, OH
8. 215.0 million cubic feet
9. March 31, 1980
10.
1. 80-23201
2. 34-167-24626-0014
3. 103 000 000
4. L & M Petroleum
5. John Paul Reed #4
6.
7. Washington, OH
8. 12.8 million cubic feet
9. March 31, 1980
10. Gas Transport Inc
1. 80-23202
2. 34-167-24667-0014
3. 103 000 000
4. L & M Petroleum
5. Rupert Ullman #1
6.

7. Washington, OH
8. 12.8 million cubic feet
9. March 31, 1980
10. Gas Transport Inc
1. 80-23203
2. 34-167-24705-0014
3. 103 000 000
4. L & M Petroleum
5. Harold Ternes #1
6.
7. Washington, OH
8. 12.8 million cubic feet
9. March 31, 1980
10. Gas Transport Inc
1. 80-23204
2. 34-167-24827-0014
3. 103 000 000
4. L & M Petroleum
5. Albert Rauch #1
6.
7. Washington, OH
8. 12.8 million cubic feet
9. March 31, 1980
10. Gas Transport Inc
1. 80-23205
2. 34-167-24868-0014
3. 103 000 000
4. L & M Petroleum
5. Hayward Miller #1
6.
7. Washington, OH
8. 12.8 million cubic feet
9. March 31, 1980
10. Gas Transport Inc
1. 80-23206
2. 34-167-24869-0014
3. 103 000 000
4. L & M Petroleum
5. Bernard Offenberger #3
6.
7. Washington, OH
8. 12.8 million cubic feet
9. March 31, 1980
10. Gas Transport Inc
1. 80-23207
2. 34-167-25237-0014
3. 103 000 000
4. Appalachian Petroleum Corp
5. Neuman #1
6.
7. Washington, OH
8. 3.5 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp
1. 80-23208
2. 34-167-29495-0014
3. 103 000 000
4. Quadrant Exploration Corp
5. William & Joetta Ferrell #6
6.
7. Washington, OH
8. 200.0 million cubic feet
9. March 31, 1980
10.
1. 80-23209
2. 34-169-22245-0014
3. 103 000 000
4. Bethel Resources Inc
5. Lloyd Shriver #1
6.
7. Wayne, OH
8. 12.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp.
1. 80-23210

2. 34-169-22251-0014
3. 103 000 000
4. Bethel Resources Inc
5. Dwight E Ogden #2
- 6.
7. Wayne OH
8. 12.0 million cubic feet
9. March 31, 1980
10. Columbia Gas Transmission Corp

1. 80-23211
2. 34-169-22256-0014
3. 103 000 000
4. Bethel Resources Inc
5. Lloyd Shriver #2
- 6.

7. Wayne OH
8. 12.0 million cubic feet
9. March 31, 1980
10. Columbia Gas

1. 80-23212
2. 34-151-23008-0014
3. 103 000 000
4. MB Operating Co Inc
5. J & P Harris #1
- 6.

7. Stark OH
8. 73.0 million cubic feet
9. March 31, 1980
10. Republic Steel Corp

1. 80-23213
2. 34-103-22179-0014
3. 103 000 000
4. Pyramid Oil & Gas Co
5. Cleveland #1
- 6.

7. Medina OH
8. 30.0 million cubic feet
9. March 31, 1980
- 10.

1. 80-23214
2. 34-031-23671-0014
3. 103 000 000
4. Cyclops Corp
5. Chester & Onie Pew #2A
- 6.

7. Coshocton OH
8. 30.0 million cubic feet
9. March 31, 1980
- 10.

1. 80-23215
2. 34-119-25083-0014
3. 103 000 000
4. Land Pro Vest
5. L A Robertson #5
- 6.

7. Muskingum OH
8. 50.0 million cubic feet
9. March 31, 1980
- 10.

1. 80-23067
2. 34-059-21600-0014
3. 108 000 000
4. Mammoth Producing Corp
5. R Davidson #1
6. Birmingham
7. Guernsey OH
8. 15.0 million cubic feet
9. March 31, 1980
10. The East Ohio Gas Co

Oklahoma Corporation Commission

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator

5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 80-23216/02674
2. 35-093-20564-0000
3. 108 000 000 denied
4. Tenneco Oil Co
5. Arthur Warkentine 1-3
6. Fair view
7. Major OK
8. 18.3 million cubic feet
9. March 31, 1980
10. Public Service Co of Oklahoma

1. 80-23217/03338
2. 35-017-21056-0000
3. 103 000 000
4. NFC Petroleum Corp
5. Gustafson 1-18
6. Richland
7. Canadian OK
8. 200.0 million cubic feet
9. March 31, 1980
10. Conoco Inc

1. 80-23218/01842
2. 35-047-21767-0000
3. 103 000 000
4. Viersen & Cochran
5. #4 Chuda Unit
6. Sooner trend
7. Garfield OK
8. 65.0 million cubic feet
9. March 31, 1980
10. Champlin Petroleum Co

1. 80-23219/02219
2. 35-151-20763-0000
3. 103 000 000
4. Ricks Exploration Co
5. Hepner 2-A
6. Cheyenne Valley
7. Woods OK
8. 300.0 million cubic feet
9. March 31, 1980
10. Aminoil USA Inc

1. 80-23220/02273
2. 35-139-00000-0000
3. 108 000 000
4. Edwin L Cox
5. Anderson #1
6. Camrick
7. Texas OK
8. 10.0 million cubic feet
9. March 31, 1980
10. Natural Gas Pipeline Co of Amer

1. 80-23221/02268
2. 35-007-00000-0000
3. 108 000 000
4. Edwin L Cox
5. Todd #1
6. Camrick
7. Beaver OK
8. 9.0 million cubic feet
9. March 31, 1980
10. Natural Gas Pipeline Co of America

1. 80-23222/02322
2. 35-073-00000-0000
3. 103 000 000
4. Northwestern Production Inc
5. Metzger #8-1
6. Sooner trend
7. Kingfisher OK
8. 500.0 million cubic feet
9. March 31, 1980

10. Conoco Inc
1. 80-23223/00925
2. 35-137-21815-0000
3. 103 000 000
4. General American Oil Co of Texas
5. F M Wood 3-D (Hunton)
6. Sho-vel-tum
7. Stephens OK
8. .0 million cubic feet
9. March 31, 1980
10. Getty Oil Co, Lone Star Gas Co

1. 80-23224/03349
2. 35-073-22209-0000
3. 103 000 000
4. Vulcan Energy Corp
5. Townsend #1
6. Sooner trend
7. Kingfisher and Garfio
8. 100.0 million cubic feet
9. March 31, 1980
10. Panhandle Eastern Pipe Line Co

1. 80-23225/03340
2. 35-017-21064-0000
3. 103 000 000
4. NFC Petroleum Corp
5. Skoch #1-13
6. Richland
7. Canadian OK
8. 200.0 million cubic feet
9. March 31, 1980
10. Conoco Inc

1. 80-23226/03341
2. 35-017-21062-0000
3. 103 000 000
4. NFC Petroleum Corp
5. Oklahoma livestock 1-13
6. Richland
7. Canadian OK
8. 200.0 million cubic feet
9. March 31, 1980
10. Conoco Inc

1. 80-23227/03343
2. 35-017-21063-0000
3. 103 000 000
4. NFC Petroleum Corp
5. Drabek 1-13
6. Richland
7. Canadian OK
8. 200.0 million cubic feet
9. March 31, 1980
10. Conoco Inc

1. 80-23228/03155
2. 35-025-00000-0000
3. 103 000 000
4. Montgomery Exploration Co
5. Warren #1
6. Sampsel
7. Cimarron OK
8. 360.0 million cubic feet
9. March 31, 1980
10. Panhandle Eastern Pipe Line Co

1. 80-23229/03339
2. 35-017-21057-0000
3. 103 000 000
4. NFC Petroleum Corp
5. Skoch 1-18
6. Richland
7. Canadian OK
8. 200.0 million cubic feet
9. March 31, 1980
10. Conoco Inc

1. 80-23230/01570
2. 35-011-00000-0000
3. 108 000 000

4. Texas Oil & Gas Corp
 5. Buckner A #1
 6. Watonga
 7. Blaine OK
 8. 14.0 million cubic feet
 9. March 31, 1980
 10. Delhi Gas Pipeline Corp
 1. 80-23231/03235
 2. 35-003-20251-0000
 3. 108 000 000
 4. Blaik Oil Co
 5. Outhier-Springer Unit #1
 6. Sooner trend
 7. Alfalfa OK
 8. 10.0 million cubic feet
 9. March 31, 1980
 10. Pioneer Gas Products Co
 1. 80-23232/03265
 2. 35-003-20210-0000
 3. 108 000 000
 4. Blaik Oil Co
 5. Springer Unit #1
 6. Sooner trend
 7. Alfalfa OK
 8. 13.0 million cubic feet
 9. March 31, 1980
 10. Pioneer Gas Products Co
 1. 80-23233/01743
 2. 35-047-00000-0000
 3. 103 000 000
 4. Carl E Gungoll
 5. Liebhart #1
 6. Sooner trend
 7. Garfield OK
 8. 175.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23234/01783
 2. 35-047-21771-0000
 3. 103 000 000
 4. Viersen & Cochran
 5. #4 Rumsey-Bartlett
 6. Sooner trend
 7. Garfield OK
 8. 123.0 million cubic feet
 9. March 31, 1980
 10. Union Texas Petroleum
 1. 80-23235/02390
 2. 35-061-20183-0000
 3. 103 000 000
 4. Hanover Management Co
 5. Dos No 1-26
 6. Sec 26 Twp 9N Rge 22E
 7. Haskell OK
 8. 55.0 million cubic feet
 9. March 31, 1980
 10.
 1. 80-23236/03166
 2. 35-011-20912-0000
 3. 000 000 000
 4. Mustang Production Co
 5. Martin #1-7
 6. S E Fay
 7. Blaine OK
 8. 300.0 million cubic feet
 9. March 31, 1980
 10. Oklahoma Gas & Electric Co.
 1. 80-23237/02387
 2. 35-119-20773-0000
 3. 103 000 000
 4. Thompson Tye Drilling Co Inc
 5. Mueggenborg #2 OTC 119 44308
 6. North Garr
 7. Payne OK
 8. 14.0 million cubic feet

9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23238/02327
 2. 35-073-22032-0000
 3. 103 000 000
 4. Northwestern Production Inc
 5. Airheart 4-1
 6. Sooner Trend
 7. Kingfisher OK
 8. 492.0 million cubic feet
 9. March 31, 1980
 10. Continental Oil Co
 1. 80-23239/02218
 2. 35-093-21413-0000
 3. 103 000 000
 4. Earlsboro Oil and Gas Co Inc
 5. Blaser #2
 6. West Cleo
 7. Major OK
 8. 180.0 million cubic feet
 9. March 31, 1980
 10. Aminoil USA
 1. 80-23240/00319
 2. 35-139-00000-0000
 3. 108 000 000
 4. Phillips Petroleum Co
 5. Haze No 1
 6. Guymon Hugoton
 7. Texas OK
 8. 20.0 million cubic feet
 9. March 31, 1980
 10. Panhandle Eastern Pipeline Co
 1. 80-23241/03169
 2. 35-129-00000-0000
 3. 102 000 000
 4. Harper Oil Co
 5. Wickhan #1
 6. Wildcat
 7. Roger Mills OK
 8. 730.0 million cubic feet
 9. March 31, 1980
 10. Kansas Nebraska Natural Gas Co Inc
 1. 80-23242/03347
 2. 35-073-22127-0000
 3. 103 000 000
 4. Vulcan Energy Corp
 5. Clifford King #1
 6. Sooner Trend
 7. Kingfisher OK
 8. 100.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum
 1. 80-23243/00964
 2. 35-007-21443-0000
 3. 000 000 000
 4. Marlin Oil Corp
 5. No 1 Shadden
 6. Mocane-Laverne
 7. Beaver OK
 8. 144.0 million cubic feet
 9. March 31, 1980
 10. Northern Natural Gas Co
 1. 80-23244/03351
 2. 35-139-21132-0000
 3. 103 000 000
 4. Mohawk Energy Corp
 5. Hitch #1-21
 6. Northwest Eva
 7. Texas OK
 8. 120.0 million cubic feet
 9. March 31, 1980
 10. Pahandle Eastern Pipe Line Co
 1. 80-23245/00986
 2. 35-007-00000-0000

3. 103 000 000
 4. Montgomery Exploration Co
 5. Pittman #1
 6. Section 35-4N-24ECM
 7. Beaver OK
 8. 265.0 million cubic feet
 9. March 31, 1980
 10. Northern Natural Gas Co
 1. 80-23246/00614
 2. 35-007-21446-0000
 3. 103 000 000
 4. Marlin Oil Corp
 5. Marlin et al No 1 Beck
 6. Mocan-Laverne
 7. Beaver OK
 8. 1440.0 million cubic feet
 9. March 31, 1980
 10. Northern Natural Gas Co, Panhandle Eastern Pipe Line Co
 1. 80-23247/00320
 2. 35-139-21001-0000
 3. 108 000 000
 4. Phillips Petroleum Co
 5. Lath No 3
 6. South Guymon-Morrow
 7. Texas OK
 8. 7.5 million cubic feet
 9. March 31, 1980
 10. Panhandle Eastern Pipeline Co
 1. 80-23248/02160
 2. 35-073-21997-0000
 3. 103 000 000
 4. Ricks Exploration Co
 5. Major #16-A
 6. Calumet N
 7. Kingfisher OK
 8. 80.0 million cubic feet
 9. March 31, 1980
 10. Oklahoma Gas & Electric Co
 1. 80-23249/01660
 2. 35-073-00025-0000
 3. 108 000 000
 4. Phoenix Resources Co
 5. Hobbs (Armer) Unit #1
 6. Hennessey West
 7. Kingfisher OK
 8. 2.0 million cubic feet
 9. March 31, 1980
 10. Oklahoma Natural Gas Co
 1. 80-23250/03320
 2. 35-019-21822-0000
 3. 103 000 000
 4. Jones & Pellow Oil Co
 5. Sullivan #34-1
 6.
 7. Carter OK
 8. 525.0 million cubic feet
 9. March 31, 1980
 10. Aminoil USA Inc
 1. 80-23251/03352
 2. 35-139-21173-0000
 3. 103 000 000
 4. Mohawk Energy Corp
 5. Hitch #1-27
 6. Northwest Eva
 7. Texas OK
 8. 120.0 million cubic feet
 9. March 31, 1980
 10. Panhandle Eastern Pipe Line Co
 1. 80-23252/03360
 2. 35-093-21590-0000
 3. 103 000 000
 4. J L Thomas Engineering Inc
 5. Dittmeyer
 6. Sooner Trend

7. Major OK
8. 180.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23253/00976
2. 35-025-35288-0000
3. 108 000 000
4. Amoco Production Co
5. Ferguson Gas Unit #1
6. Keyes
7. Cimarron OK
8. .0 million cubic feet
9. March 31, 1980
10. Colorado Interstate Gas Co
1. 80-23254/00928
2. 35-137-21701-0000
3. 103 000 000
4. General American Oil Co of Texas
5. FM Wood 2-D (Hunton)
6. Sho-Vel-Tum
7. Stephens OK
8. 201.0 million cubic feet
9. March 31, 1980
10. Getty Oil Co, Lone Star Gas Co
1. 80-23255/04365
2. 35-121-20633-0000
3. 103 000 000
4. Samson Resources Co
5. Gregg Unit No 1
6. Carney
7. Pittsburg OK
8. 350.0 million cubic feet
9. March 31, 1980
10. Arkansas Louisiana Gas Co
1. 80-23256/01457
2. 35-137-00000-0000
3. 108 000 000
4. Harry Paramore Tank Co
5. V J Carson #1
6. Nellie Area NE SW NW 9-1N-8W
7. Stephens OK
8. 4.5 million cubic feet
9. March 31, 1980
10. Arkansas Louisiana Gas Co
1. 80-23257/01527
2. 35-017-20716-0000
3. 103 000 000
4. Michigan Wisconsin Pipe Line Co
5. Canyon Camp No 1
6. Southwest Canyon City
7. Canadian OK
8. 325.0 million cubic feet
9. March 31, 1980
10. Michigan Wisconsin Pipe Line Co, Transok Pipeline Co
1. 80-23258/03354
2. 35-121-20640-0000
3. 103 000 000
4. Lubell Oil Co
5. Lubell No 1-30 Reeves
6. Ulan
7. Pittsburg OK
8. .0 million cubic feet
9. March 31, 1980
- 10.
1. 80-23259/03317
2. 35-061-20265-0000
3. 102 000 000
4. Cities Service Co
5. Eakle C-1 (Cromwell)
6. North Russellville
7. Haskell OK
8. 230.0 million cubic feet
9. March 31, 1980
10. Arkansas Louisiana Gas Co
1. 80-23260/02429
2. 35-139-21186-0000
3. 102 000 000
4. Anadarko Production Co
5. Bonner B No 1
6. Hough South
7. Texas OK
8. 72.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23261/03171
2. 35-081-20724-0000
3. 102 000 000
4. Baruch-Foster Corp
5. Olin Wright #1
6. Ravendale
7. Lincoln OK
8. 185.0 million cubic feet
9. March 31, 1980
10. Cities Service Gas Co
1. 80-23262/02484
2. 35-017-21007-0000
3. 103 000 000
4. Walker & Withrow Inc
5. Randall #30-1
6. N W Richland
7. Canadian OK
8. 20.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23263/02490
2. 35-017-20942-0000
3. 103 000 000
4. Walker & Withrow Inc
5. Weideman #25-2
6. N W Richland
7. Canadian OK
8. 70.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23264/02500
2. 35-095-00000-0000
3. 108 000 000
4. Post Oak Oil Co
5. Talliaferro #1
- 6.
7. Marshall OK
8. 9.0 million cubic feet
9. March 31, 1980
10. Pioneer Gas Products Co
1. 80-23265/02163
2. 35-073-21995-0000
3. 102 000 000
4. Ricks Exploration Co
5. Winans 34-A
6. Cashion West
7. Kingfisher OK
8. 310.0 million cubic feet
9. March 31, 1980
10. Continental Oil Co
1. 80-23266/02385
2. 35-101-20324-0000
3. 102 000 000
4. Service Drilling Co
5. Holcomb #1-24
- 6.
7. Muskogee OK
8. 109.0 million cubic feet
9. March 31, 1980
10. Tennessee Gas Pipeline Co, Delhi Gas Pipeline Co, Columbia Gas Transmission Corp
1. 80-23267/03172
2. 35-081-20771-0000
3. 102 000 000
4. Baruch-Foster Corp
5. Pearl Biswell #1
6. Ravendale
7. Lincoln OK
8. 18.0 million cubic feet
9. March 31, 1980
10. Cities Service Gas Co
1. 80-23268/03293
2. 35-093-21528-000
3. 103 000 000
4. Southland Royalty Co
5. Pittman 1-24
6. W Cheyenne Valley
7. Major OK
8. 50.0 million cubic feet
9. March 31, 1980
10. Panhandle Eastern Pipeline Co
1. 80-23269/01453
2. 35-137-00000-0000
3. 108 000 000
4. Kaiser Francis Oil Co
5. Dailey Unit 1-28
6. Stage Stand
7. Stephens OK
8. 22.0 million cubic feet
9. March 31, 1980
10. Lone Star Gas Co
1. 80-23270/03174
2. 35-081-20762-0000
3. 102 000 000
4. Baruch-Foster Corp
5. Wolff #1
6. Ravendale
7. Lincoln OK
8. 185.0 million cubic feet
9. March 31, 1980
10. Cities Service Gas Co
1. 80-23271/03322
2. 35-019-21844-0000
3. 103 000 000
4. Jones & Pellow Oil Co
5. Monson #35-1
- 6.
7. Carter County OK
8. 36.0 million cubic feet
9. March 31, 1980
10. Aminoil USA Inc
1. 80-23272/03318
2. 35-081-20768-0000
3. 103 000 000
4. Jones & Pellow Oil Co
5. Grant #21-1
- 6.
7. Lincoln OK
8. 730.0 million cubic feet
9. March 31, 1980
10. Cities Service Gas Co
1. 80-23273/03321
2. 35-019-21789-0000
3. 103 000 000
4. Jones & Pellow Oil Co
5. Sullivan #27-1
- 6.
7. Carter County OK
8. 36.0 million cubic feet
9. March 31, 1980
10. Aminoil USA Inc
1. 80-23274/03359
2. 35-093-21522-0000
3. 103 000 000
4. Tenneco Oil Co
5. Frazer 1-24
6. S E Orion
7. Major OK
8. 55.0 million cubic feet

9. March 31, 1980
- 10.
1. 80-23275/03319
2. 35-093-21475-0000
3. 103 000 000
4. Bonray Energy Corp
5. Felder #1
6. S W Ames
7. Major and Blaine OK
8. 182.5 million cubic feet
9. March 31, 1980
10. Cities Service Gas Co
1. 80-23276/01742
2. 35-047-00000-0000
3. 103 000 000
4. Carl E Gungoll
5. Markes #1
6. Sooner Trend
7. Garfield OK
8. 175.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23277/03316
2. 35-061-20265-0000
3. 102 000 000
4. Cities Service Co
5. Eakle C-1 (Basal Atoka)
6. North Russellville
7. Haskell OK
8. 70.0 million cubic feet
9. March 31, 1980
10. Arkansas Louisiana Gas Co
1. 80-23278/03366
2. 35-129-20335-0000
3. 102 000 000
4. Southport Exploration Inc
5. W F Merrick No 1-10
6. West Carpenter
7. Roger Mills OK
8. 730.0 million cubic feet
9. March 31, 1980
- 10.
1. 80-23279/01539
2. 35-039-20152-0000
3. 103 000 000
4. Michigan Wisconsin Pipe Line Co
5. Mosburg No 1
6. South East Custer City
7. Custer OK
8. 6.0 million cubic feet
9. March 31, 1980
10. Public Service Co of Oklahoma

Texas Railroad Commission, Oil and Gas Division

1. Control Number (FERC/State)
2. API Well Number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or Block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 80-23280/08329
2. 42-233-00000-0000
3. 108 000 000
4. Hooks Brothers Oil Co
5. Smith A #2
6. Panhandle
7. Hutchinson TX
8. 1.7 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co

1. 80-23281/08328
2. 42-233-00000-0000
3. 108 000 000
4. Hooks Brothers Oil Co
5. Smith A #3
6. Panhandle
7. Hutchinson TX
8. 1.7 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23282/08331
2. 42-233-00000-0000
3. 108 000 000
4. Hooks Brothers Oil Co
5. Smith T #2
6. Panhandle
7. Hutchinson TX
8. 1.7 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23283/08332
2. 42-233-00000-0000
3. 108 000 000
4. Hooks Brothers Oil Co
5. Smith #9
6. Panhandle
7. Hutchinson TX
8. 1.7 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23284/08333
2. 42-233-00000-0000
3. 108 000 000
4. Hooks Brothers Oil Co
5. Wittenburg #7
6. Panhandle
7. Hutchinson TX
8. .3 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23285/07896
2. 42-233-00000-0000
3. 108 000 000
4. San Springs Oil & Gas Co
5. Hamilton -B- (02084) No 65
6. Panhandle Hutchinson County
7. Hutchinson TX
8. .4 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23286/07897
2. 42-233-00000-0000
3. 108 000 000
4. Sand Springs Oil & Gas Co
5. Hamilton -B- (02084) No 66
6. Panhandle Hutchinson County
7. Hutchinson TX
8. 1.1 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23287/07898
2. 42-233-00000-0000
3. 108 000 000
4. Sand Springs Oil & Gas Co
5. Hamilton -B- (02084) No 78
6. Panhandle Hutchinson County
7. Hutchinson TX
8. 2.2 million cubic feet
9. March 31, 1980
10. Getty Oil Company
1. 80-23288/07899
2. 42-233-00000-0000
3. 108 000 000
4. Sand Springs Oil & Gas Co
5. Hamilton -B- (02084) No 79

6. Panhandle Hutchinson County
7. Hutchinson TX
8. 2.2 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23289/07903
2. 42-065-00000-0000
3. 108 000 000
4. Sand Springs Oil & Gas Co
5. Long (00125) No 5
6. Panhandle Carson County
7. Carson TX
8. 1.5 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23290/07926
2. 42-065-00000-0000
3. 108 000 000
4. Sand Springs Oil & Gas Co
5. Long (00125) No 25
6. Panhandle Carson County
7. Carson TX
8. 2.6 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23291/07873
2. 42-233-00000-0000
3. 108 000 000
4. Sand Springs Oil & Gas Co
5. Britain (01133) No 2
6. Panhandle Hutchinson County
7. Hutchinson TX
8. .4 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23292/07892
2. 42-233-00000-0000
3. 108 000 000
4. Sand Springs Oil & Gas Co
5. Hamilton -B- (02084) No 61
6. Panhandle Hutchinson County
7. Hutchinson TX
8. .7 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23293/07893
2. 42-233-00000-0000
3. 108 000 000
4. Sand Springs Oil & Gas Co
5. Hamilton -B- (02084) No 62
6. Panhandle Hutchinson County
7. Hutchinson TX
8. 1.1 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23294/07894
2. 42-233-00000-0000
3. 108 000 000
4. Sand Springs Oil & Gas Co
5. Hamilton -B- (02084) No 63
6. Panhandle Hutchinson County
7. Hutchinson TX
8. .7 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23295/07895
2. 42-233-00000-0000
3. 108 000 000
4. Sand Springs Oil & Gas Co
5. Hamilton -B- (02084) No 64
6. Panhandle Hutchinson County
7. Hutchinson TX
8. .7 million cubic feet
9. March 31, 1980
10. Getty Oil Co

1. 80-23296/07950
 2. 42-065-00000-0000
 3. 108 000 000
 4. Pennowa Oil & Gas Co
 5. Ware (00111) No 3
 6. Panhandle Carson County
 7. Carson TX
 8. 2 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
-
1. 80-23297/07949
 2. 42-065-00000-0000
 3. 108 000 000
 4. Pennowa Oil & Gas Co
 5. Ware (00111) No 2
 6. Panhandle Carson County
 7. Carson TX
 8. 3.1 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
-
1. 80-23298/08521
 2. 42-357-00000-0000
 3. 108 000 000
 4. Worldwide Energy Corp
 5. Pearl Witt
 6. Smith-Perryton
 7. Ochiltree TX
 8. 8.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23299/08404
 2. 42-409-00000-0000
 3. 108 000 000
 4. Palmco Management Co
 5. J N Champlin #1-T
 6. Taft South (2300)
 7. San Patricio TX
 8. 2.0 million cubic feet
 9. March 31, 1980
 10. Lovaca Gathering Co
-
1. 80-23300/08413
 2. 42-409-00000-0000
 3. 108 000 000
 4. Palmco Management Co
 5. Baldwin A No 7
 6. White Point East (2300)
 7. San Patricio TX
 8. 4.0 million cubic feet
 9. March 31, 1980
 10. Lovaca Gathering Co
-
1. 80-23301/08437
 2. 42-065-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Long (00125) No 29
 6. Panhandle Carson County
 7. Carson TX
 8. 1.5 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
-
1. 80-23302/08459
 2. 42-215-00000-0000
 3. 108 000 000
 4. Tenneco Oil Co
 5. Pearl-Keirn Unit No 3
 6. McAllen (coke 5800)
 7. Hidalgo TX
 8. 6.0 million cubic feet
 9. March 31, 1980
 10. Trunkline Gas Co
-
1. 80-23303/08489
 2. 42-497-00000-0000
 3. 108 000 000
 4. Wichita Industries Inc
 5. Davis-Horn /#4
-
6. West Chico Field
 7. Wise Co TX
 8. 6.6 million cubic feet
 9. March 31, 1980
 10. Cities Service Co
-
1. 80-23304/08832
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland B #6 01295
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23305/08522
 2. 42-357-00000-0000
 3. 108 000 000
 4. Worldwide Energy Corp
 5. Witt A #1
 6. Smith-Perryton
 7. Ochiltree TX
 8. 5.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23306/08523
 2. 42-357-00000-0000
 3. 108 000 000
 4. Worldwide Energy Corp
 5. Condon #1
 6. Smith Perryton
 7. Ochiltree TX
 8. 3.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23307/08524
 2. 42-193-00000-0000
 3. 108 000 000
 4. Worldwide Energy Corp
 5. Abell #1
 6. Hansford (Morrow Lower)
 7. Hansford TX
 8. 12.0 million cubic feet
 9. March 31, 1980
 10. Northern Natural Gas Co
-
1. 80-23308/08793
 2. 42-233-00000-0000
 3. 108 000 000
 4. M D Oil Co
 5. Whittenburg M#3 (00953)
 6. Panhandle-Hutchinson Cty
 7. Hutchinson TX
 8. .8 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23309/08794
 2. 42-233-00000-0000
 3. 108 000 000
 4. M D Oil Co
 5. Whittenburg M#1 (00953)
 6. Panhandle-Hutchinson County
 7. Hutchinson TX
 8. .8 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23310/07981
 2. 42-469-02755-0000
 3. 108 000 000
 4. Amoco Production Co
 5. Vandenberg & Hill/Westland 2C
 6. Placedo/5300 Sinton
 7. Victoria TX
 8. 11.0 million cubic feet
 9. March 31, 1980
 10. Tennessee Gas Pipeline Co
-
1. 80-23311/08325
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Smith A #6
 6. Panhandle
 7. Hutchinson TX
 8. 1.7 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23312/08326
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Smith A #5
 6. Panhandle
 7. Hutchinson TX
 8. 1.7 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23313/08327
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Smith A #4
 6. Panhandle
 7. Hutchinson TX
 8. 1.7 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23314/08833
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland B #5 01295
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23315/08366
 2. 42-165-31275-0000
 3. 108 000 000
 4. Hytech Energy Corp
 5. Smith Unit #1
 6. Loop NE (Yates)
 7. Gaines Co TX
 8. 6.4 million cubic feet
 9. March 31, 1980
 10. Northern Natural Gas Co
-
1. 80-23316/08364
 2. 42-235-31156-0000
 3. 108 000 000
 4. Hytech Energy Corp
 5. Rocker B-105 #2
 6. Ela Sugg (Wolfcamp)
 7. Irion TX
 8. 14.4 million cubic feet
 9. March 31, 1980
 10. Northern Natural Gas Co
-
1. 80-23317/08358
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Smith #7
 6. Panhandle
 7. Hutchinson TX
 8. 1.7 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23318/08356
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Smith #4

6. Panhandle
 7. Hutchinson TX
 8. 1.7 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23319/08355
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Smith #3
 6. Panhandle
 7. Hutchinson TX
 8. 1.7 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23320/08354
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Smith #2
 6. Panhandle
 7. Hutchinson TX
 8. 1.7 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23321/08352
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Smith #1
 6. Panhandle
 7. Hutchinson TX
 8. 1.7 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23322/08351
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Erle 4-A
 6. Panhandle
 7. Hutchinson TX
 8. .6 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23323/08350
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Erle #2
 6. Panhandle
 7. Hutchinson TX
 8. .6 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23324/08349
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Erle #1
 6. Panhandle
 7. Hutchinson TX
 8. .6 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23325/08348
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Smith A #8
 6. Panhandle
 7. Hutchinson TX
 8. 1.7 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co

1. 80-23326/08347
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Smith A #7
 6. Panhandle
 7. Hutchinson TX
 8. 1.7 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23327/08346
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Whittenburg #14
 6. Panhandle
 7. Hutchinson TX
 8. .3 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23328/08345
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Erle #8
 6. Panhandle
 7. Hutchinson TX
 8. .6 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23329/08344
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Erle #9
 6. Panhandle
 7. Hutchinson TX
 8. .6 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23330/08343
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Hodges B #13
 6. Panhandle
 7. Hutchinson TX
 8. .5 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23331/08342
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Hodges A #16
 6. Panhandle
 7. Hutchinson TX
 8. .5 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23332/08341
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Hodges A #10
 6. Panhandle
 7. Hutchinson TX
 8. .5 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23333/08340
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Hodges A #3

6. Panhandle
 7. Hutchinson TX
 8. .5 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23334/08339
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Hodges A #2
 6. Panhandle
 7. Hutchinson TX
 8. .5 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23335/08338
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Hodges A #9
 6. Panhandle
 7. Hutchinson TX
 8. .5 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23336/08337
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Hodges A #8
 6. Panhandle
 7. Hutchinson TX
 8. .5 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23337/08336
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Hodges B #5
 6. Panhandle
 7. Hutchinson TX
 8. .5 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23338/08335
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Hodges B #6
 6. Panhandle
 7. Hutchinson TX
 8. .5 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23339/08334
 2. 42-233-00000-0000
 3. 108 000 000
 4. Hooks Brothers Oil Co
 5. Whittenburg #1
 6. Panhandle
 7. Hutchinson TX
 8. .3 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23340/07961
 2. 42-233-00000-0000
 3. 108 000 000
 4. Pennowa Oil & Gas Co
 5. H E Smith A/C #2 (01009) No 2
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. .5 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co

1. 80-23341/07960
2. 42-065-00000-0000
3. 108 000 000
4. Pennowa Oil & Gas Co
5. Ware (00111) No 13
6. Panhandle Carson County
7. Carson TX
8. 7 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23342/07959
2. 42-065-00000-0000
3. 108 000 000
4. Pennowa Oil & Gas Co
5. Ware (00111) No 12
6. Panhandle Carson County
7. Carson TX
8. 1.1 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23343/07958
2. 42-065-00000-0000
3. 108 000 000
4. Pennowa Oil & Gas Co
5. Ware (00111) No 11
6. Panhandle Carson County
7. Carson TX
8. 1.1 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23344/07957
2. 42-065-00000-0000
3. 108 000 000
4. Pennowa Oil & Gas Co
5. Ware (00111) No 10
6. Panhandle Carson County
7. Carson TX
8. 1.5 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23345/07956
2. 42-065-00000-0000
3. 108 000 000
4. Pennowa Oil & Gas Co
5. Ware (00111) No 9
6. Panhandle Carson County
7. Carson TX
8. 1.1 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23346/07955
2. 42-065-00000-0000
3. 108 000 000
4. Pennowa Oil & Gas Co
5. Ware (00111) No 7
6. Panhandle Carson County
7. Carson TX
8. 1.8 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23347/07954
2. 42-065-00000-0000
3. 108 000 000
4. Pennowa Oil & Gas Co
5. Ware (00111) No 8
6. Panhandle Carson County
7. Carson TX
8. 1.1 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23348/07952
2. 42-481-00000-0000
3. 108 000 000
4. Pennowa Oil & Gas Co
5. Schwarting (03017) No 3
6. Panhandle Wheeler County
7. Wheeler TX
8. 7 million cubic feet
9. March 31, 1980
10. Rael Gas Co
1. 80-23349/07951
2. 42-065-00000-0000
3. 108 000 000
4. Pennowa Oil & Gas Co
5. Ware (00111) No 6
6. Panhandle Carson County
7. Carson TX
8. 1.8 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23350/07872
2. 42-233-00000-0000
3. 108 000 000
4. Sand Springs Oil & Gas Co
5. Britain (01133) No 1
6. Panhandle Hutchinson County
7. Hutchinson TX
8. 4 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23351/08491
2. 42-497-00000-0000
3. 108 000 000
4. Wichita Industries Inc
5. Davis-Horn #2
6. West Chico Field
7. Wise Co TX
8. 6.6 million cubic feet
9. March 31, 1980
10. Cities Service Co
1. 80-23352/08490
2. 42-497-00000-0000
3. 108 000 000
4. Wichita Industries Inc
5. Davis-Horn #3
6. West Chico Field
7. Wise Co TX
8. 6.6 million cubic feet
9. March 31, 1980
10. Cities Service Co
1. 80-23353/00250
2. 42-211-30140-0000
3. 108 000 000
4. McCulloch Oil Corp of Texas
5. Mathers Ranch No 13
6. Humphreys-Douglas
7. Hemphill TX
8. 10.0 million cubic feet
9. March 31, 1980
10. Arkansas Louisiana Gas Co, Northern Natural Gas Co
1. 80-23354/00623
2. 42-497-00000-0000
3. 103 000 000
4. Taylor Operating Co
5. Marilyn Yeatts #1 (18441)
6. Wise County Regular
7. Wise TX
8. 28.0 million cubic feet
9. March 31, 1980
10. Natural Gas Pipeline Co of America
1. 80-23355/00629
2. 42-497-00000-0000
3. 103 000 000
4. Taylor Operating Co
5. Thomas Hodges No 3 (18297)
6. Wise County Regular
7. Wise TX
8. 72.0 million cubic feet
9. March 31, 1980
10. Natural Gas Pipeline Co of America
1. 80-23356/01002
2. 42-233-30597-0000
3. 103 000 000
4. W R Edwards Jr
5. Cal Merchant No 1
6. Panhandle Hutchinson County
7. Hutchinson TX
8. 14.6 million cubic feet
9. March 31, 1980
10. Panhandle Producing Co
1. 80-23357/01226
2. 42-483-30499-0000
3. 103 000 000
4. Earl T Smith & Associates Inc
5. Myrle Hunter #1
6. Buffalo Wallow (Morrow)
7. Wheeler TX
8. 146.0 million cubic feet
9. March 31, 1980
10. Northern Natural Gas Co, Pioneer Natural Gas Co
1. 80-23358/01266
2. 42-211-30881-0000
3. 103 000 000
4. Monsanto Co
5. Reserve No 3 #75637
6. Humphreys (Douglas)
7. Hemphill TX
8. 130.0 million cubic feet
9. March 31, 1980
10. Cities Service Oil Co
1. 80-23359/01490
2. 42-375-30593-0000
3. 103 000 000
4. Gas Producing Enterprises Inc
5. Bivins 28-15 Ro
6. West Panhandle Red Cave
7. Potter TX
8. 6.0 million cubic feet
9. March 31, 1980
10. Colorado Interstate Gas Co
1. 80-23360/01567
2. 42-355-00000-0000
3. 102 000 000
4. Maynard Oil Co
5. Caldwell No 1
6. Corpus Christi West (9000)
7. Nueces TX
8. 1080.0 million cubic feet
9. March 31, 1980
- 10.
1. 80-23361/01713
2. 42-003-00000-0000
3. 103 000 000
4. J Cleo Thompson
5. West Means Unit 15-5
6. Means
7. Andrews TX
8. 3.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23362/01801
2. 42-079-30904-0000
3. 103 000 000
4. Sun Oil Company
5. Wright Unit #634
6. Levelland
7. Cochran TX
8. 3.0 million cubic feet
9. March 31, 1980
10. Cities Service Co
1. 80-23363/01713
2. 42-219-31983-0000

3. 103 000 000
4. Sun Oil Company
5. Roberts-Coble B-1 No 5
6. Levelland
7. Hockley TX
8. 2.0 million cubic feet
9. March 31, 1980
10. El Paso Natural Gas Co, Amoco Production Co
1. 80-23364/01895
2. 42-105-31186-0000
3. 103 000 000
4. Amerada Hess Corp
5. Helbing Ranch #3
6. Ozona
7. Crockett TX
8. 223.0 million cubic feet
9. March 31, 1980
10. Northern Natural Gas Co
1. 80-23365/01952
2. 42-401-30693-0000
3. 103 000 000
4. Mewbourne Oil Co
5. Crim #2 Rrd Id #10050
6. Henderson E (Travis Peak)
7. Rusk TX
8. 48.0 million cubic feet
9. March 31, 1980
10. United Gas Pipe Line Co
1. 80-23366/02051
2. 42-483-30498-0000
3. 103 000 000
4. Phillips Petroleum Co
5. Jaco-A No 1
6. Wheeler Pan
7. Wheeler TX
8. 1140.0 million cubic feet
9. March 31, 1980
10. Michigan Wisconsin Pipeline Co
1. 80-23367/02059
2. 42-079-00000-0000
3. 103 000 000
4. Monsanto Co
5. Reed #1 62260
6. Levelland
7. Cochran TX
8. 1.3 million cubic feet
9. March 31, 1980
10. Cities Service Gas Co
1. 80-23368/02086
2. 42-295-30310-0000
3. 103 000 000
4. Mewbourne Oil Co
5. Schultz #1 Id #73130
6. Lipscomb (Morrow)
7. Lipscomb TX
8. 180.0 million cubic feet
9. March 31, 1980
10. Transwestern Pipeline Co
1. 80-23369/02096
2. 42-233-30317-0000
3. 103 000 000
4. J M Huber Corp
5. Magnolia Herring No 11
6. Panhandle
7. Hutchinson TX
8. 36.0 million cubic feet
9. March 31, 1980
10. Colorado Interstate Gas Co
1. 80-23370/02097
2. 42-233-30319-0000
3. 103 000 000
4. J M Huber Corp
5. Magnolia Herring No 12
6. Panhandle
7. Hutchinson TX
8. 36.0 million cubic feet
9. March 31, 1980
10. Colorado Interstate Gas Co
1. 80-23371/02100
2. 42-233-30322-0000
3. 103 000 000
4. J M Huber Corp
5. Perky #9
6. Panhandle
7. Hutchinson TX
8. 36.0 million cubic feet
9. March 31, 1980
10. Colorado Interstate Gas Co
1. 80-23372/02101
2. 42-233-30320-0000
3. 103 000 000
4. J M Huber Corp
5. Read #8
6. Panhandle
7. Hutchinson TX
8. 36.0 million cubic feet
9. March 31, 1980
10. Colorado Interstate Gas Co
1. 80-23373/02103
2. 42-233-30321-0000
3. 103 000 000
4. J M Huber Corp
5. Read #10
6. Panhandle
7. Hutchinson TX
8. 40.0 million cubic feet
9. March 31, 1980
10. Colorado Interstate Gas Co
1. 80-23374/02138
2. 42-165-31332-0000
3. 103 000 000
4. American Petrofina Co of Texas
5. Humble-Shell Fee No 3
6. Robertson N (San Andres)
7. Gaines TX
8. 7.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23375/02230
2. 42-133-31553-0000
3. 103 000 000
4. Dallas Production Inc
5. Smith No 1-T
6. Tee Jay (3750)
7. Eastland TX
8. 72.0 million cubic feet
9. March 31, 1980
10. Bengal Gas Transmission Company
1. 80-23376/02365
2. 42-103-31515-0000
3. 103 000 000
4. Gulf Oil Corp
5. J T McElroy Cons No 976
6. McElroy
7. Crane TX
8. .4 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23377/02369
2. 42-461-30696-0000
3. 103 000 000
4. Gulf Oil Corp
5. J T McElroy Cons No 981
6. McElroy
7. Upton TX
8. 4.6 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23378/02373
2. 42-461-30705-0000
3. 103 000 000
4. Gulf Oil Corp
5. J T McElroy Cons No 989
6. McElroy
7. Upton TX
8. .6 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23379/02795
2. 42-355-31316-0000
3. 103 000 000
4. Delta American Oil Co
5. Ennis Joslin et al Gas Unit #1
6. Violet (6940)
7. Nueces TX
8. 144.0 million cubic feet
9. March 31, 1980
- 10.
1. 80-23380/02867
2. 42-469-31282-0000
3. 103 000 000
4. Sun Oil Company
5. W H Bennett No 16
6. Heyser
7. Victoria TX
8. 214.0 million cubic feet
9. March 31, 1980
10. Tennessee Gas Pipeline Co
1. 80-23381/02881
2. 42-461-31168-0000
3. 103 000 000
4. Gulf Oil Corp
5. Crier-McElroy No 283
6. McElroy
7. Upton TX
8. 1.2 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23382/02904
2. 42-003-31588-0000
3. 103 000 000
4. Tipperary Oil & Gas Corp
5. University B #1
6. Block 12 (Yates)
7. Andrews TX
8. 36.0 million cubic feet
9. March 31, 1980
10. Northern Natural Gas Co
1. 80-23383/02993
2. 42-103-31519-0000
3. 103 000 000
4. Gulf Oil Corp
5. J T McElroy Cons No 985
6. McElroy
7. Crane TX
8. .2 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23384/03300
2. 42-087-26068-0000
3. 108 000 000
4. El Paso Natural Gas Co
5. Emmert 1
6. Panhandle East
7. Collingsworth TX
8. 53.7 million cubic feet
9. March 31, 1980
10. El Paso Natural Gas Co
1. 80-23385/03468
2. 42-375-00000-0000
3. 108 000 000
4. Cig Exploration Inc
5. Masterson J-5
6. Panhandle West

7. Potter TX
8. 4.0 million cubic feet
9. March 31, 1980
10. Colorado Interstate Gas Co
1. 80-23386/03474
2. 42-341-00000-0000
3. 108 000 000
4. Cig Exploration Inc
5. Fee 2R
6. Panhandle West Red Cave
7. Moore TX
8. 14.0 million cubic feet
9. March 31, 1980
10. Colorado Interstate Gas Co
1. 80-23387/03475
2. 42-065-00000-0000
3. 108 000 000
4. Cig Exploration Inc
5. Poling 1R
6. Panhandle West Red Cave
7. Carson TX
8. .9 million cubic feet
9. March 31, 1980
10. Colorado Interstate Gas Co
1. 80-23388/03476
2. 42-341-00000-0000
3. 108 000 000
4. Cig Exploration Inc
5. Thompson 5R
6. Panhandle West Red Cave
7. Moore TX
8. .7 million cubic feet
9. March 31, 1980
10. Colorado Interstate Gas Co
1. 80-23389/03559
2. 42-087-00000-0000
3. 108 000 000
4. George W Moran
5. Franks B-2 ID #26989
6. Panhandle East District #10
7. Collingsworth TX
8. 6.0 million cubic feet
9. March 31, 1980
10. Warren Petroleum Co
1. 80-23390/03560
2. 42-087-00000-0000
3. 108 000 000
4. George W Moran
5. Franks A-1 ID #26986
6. Panhandle East District No 10
7. Collingsworth TX
8. 17.0 million cubic feet
9. March 31, 1980
10. Warren Petroleum Co
1. 80-23391/03561
2. 42-087-00000-0000
3. 108 000 000
4. George W Moran
5. Franks B-3 ID #26990
6. Panhandle East District #10
7. Collingsworth TX
8. 5.0 million cubic feet
9. March 31, 1980
10. Warren Petroleum Co
1. 80-23392/03562
2. 42-087-00000-0000
3. 108 000 000
4. George W Moran
5. Franks B-4 ID #26991
6. Panhandle East District #10
7. Collingsworth TX
8. 3.0 million cubic feet
9. March 31, 1980
10. Warren Petroleum Co
1. 80-23393/03587
2. 42-103-31922-0000
3. 103 000 000
4. General American Oil Co of Texas
5. Central Dune Unit #1021
6. Dune
7. Crane TX
8. 37.0 million cubic feet
9. March 31, 1980
10. Warren Petroleum Co, Phillips Petroleum Co
1. 80-23394/03595
2. 42-103-31875-0000
3. 103 000 000
4. Warren Pet Co Div/Gulf Oil Corp
5. P J Lea et al #67
6. Lea (San Andres)
7. Crane TX
8. 6.0 million cubic feet
9. March 31, 1980
10. El Paso Natural Gas Co
1. 80-23395/03622
2. 42-211-00000-0000
3. 103 000 000
4. Davis Oil Co
5. McQuiddy #1
6. Mathers Cleveland
7. Hemphill TX
8. 175.0 million cubic feet
9. March 31, 1980
10. El Paso Natural Gas Co
1. 80-23396/07181
2. 42-179-00000-0000
3. 108 000 000
4. Kenneth M Axelrod
5. Magnolia Morse No 1 26454
6. Panhandle East
7. Gray TX
8. 11.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23397/07178
2. 42-483-00000-0000
3. 108 000 000
4. Kenneth M Axelrod
5. D N Massey No 3 26863
6. Panhandle East
7. Wheeler TX
8. 3.0 million cubic feet
9. March 31, 1980
10. Warren Petroleum Corp
1. 80-23398/07174
2. 42-483-00000-0000
3. 108 000 000
4. Kenneth M Axelrod
5. D E Johnson—B—No 1 26930
6. Panhandle East
7. Wheeler TX
8. 11.0 million cubic feet
9. March 31, 1980
10. Warren Petroleum Corp
1. 80-23399/07173
2. 42-483-00000-0000
3. 108 000 000
4. Kenneth M Axelrod
5. Woodward No 1 26948
6. Panhandle East
7. Wheeler TX
8. 8.0 million cubic feet
9. March 31, 1980
10. Warren Petroleum Corp
1. 80-23400/07171
2. 42-483-00000-0000
3. 108 000 000
4. Kenneth M Axelrod
5. R Cody No 1 26400
6. Panhandle East
7. Wheeler TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Warren Petroleum Corp
1. 80-23401/07170
2. 42-179-00000-0000
3. 108 000 000
4. Kenneth M Axelrod
5. Morse No 1 26455
6. Panhandle East
7. Gray TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23402/07169
2. 42-483-00000-0000
3. 108 000 000
4. Kenneth M Axelrod
5. Gooch No 2 26964
6. Panhandle East
7. Wheeler TX
8. .0 million cubic feet
9. March 31, 1980
10. Warren Petroleum Corp
1. 80-23403/07163
2. 42-179-00000-0000
3. 108 000 000
4. Beverly M Axelrod
5. Morgan No 1 43262
6. Panhandle East
7. Gray TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Warren Petroleum Corp
1. 80-23404/07161
2. 42-179-00000-0000
3. 108 000 000
4. Mamie Axelrod Estate
5. Magnolia Back—A—No 1 26453
6. Panhandle East
7. Gray TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23405/07160
2. 42-179-00000-0000
3. 108 000 000
4. Mamie Axelrod Estate
5. Back & Axelrod B No 1 26451
6. Panhandle East
7. Gray TX
8. 4.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23406/07159
2. 42-179-00000-0000
3. 108 000 000
4. Comps Inc
5. D N Massey B No 2 26870
6. Panhandle East
7. Gray TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Warren Petroleum Corp
1. 80-23407/07157
2. 42-483-00000-0000
3. 108 000 000
4. Comps Inc
5. Hugh Longan No 1 26869
6. Panhandle East
7. Wheeler TX
8. 7.0 million cubic feet
9. March 31, 1980
10. Warren Petroleum Corp

1. 80-23408/07182
2. 42-179-00000-0000
3. 108 000 000
4. Kenneth M Axelrod
5. Shell-Homes No 1 24583
6. Panhandle East
7. Gray TX
8. 17.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23409/07188
2. 42-483-00000-0000
3. 108 000 000
4. Kenneth M Axelrod
5. O P Stuckey No 2 26425
6. Panhandle East
7. Wheeler TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Warren Petroleum Corp
1. 80-23410/07164
2. 42-483-00000-0000
3. 108 000 000
4. Beverly M Axlerod
5. Purcell No 1 26366
6. Panhandle East
7. Wheeler TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23411/07156
2. 42-483-00000-0000
3. 108 000 000
4. Comps Inc
5. Farren W B No 1 26868
6. Panhandle East
7. Wheeler TX
8. 4.0 million cubic feet
9. March 31, 1980
10. Warren Petroleum Corp
1. 80-23412/07155
2. 42-483-00000-0000
3. 108 000 000
4. Comps Inc
5. Farren W No 1 26867
6. Panhandle East
7. Wheeler TX
8. 7.0 million cubic feet
9. March 31, 1980
10. Warren Petroleum Corp
1. 80-23413/07154
2. 42-179-00000-0000
3. 108 000 000
4. Comps Inc
5. Back No 1 26464
6. Panhandle East
7. Gray TX
8. 6.0 million cubic feet
9. March 31, 1980
10. Warren Petroleum Corp
1. 80-23414/07152
2. 42-179-00000-0000
3. 108 000 000
4. Marlow Oil Co
5. Back Coronado No 1 26528
6. Panhandle East
7. Gray TX
8. 7.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23415/06481
2. 42-413-00000-0000
3. 103 000 000
4. Gas Development Corp
5. Williams-Shell 81 No 1
6. Eldorado South (Canyon)
7. Schleicher TX
8. 91.0 million cubic feet
9. March 31, 1980
10. Northern Natural Gas Co
1. 80-23416/06136
2. 42-065-00000-0000
3. 108 000 000
4. Getty Oil Co
5. Schafer Ranch No 215
6. Panhandle West
7. Carson and Gray TX
8. 18.0 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23417/06076
2. 42-079-30924-0000
3. 103 000 000
4. Conoco Inc
5. Conoco-Dean Unit (60106) #124
6. Slaughter/San Andres
7. Cochran TX
8. .7 million cubic feet
9. March 31, 1980
10. Amoco Production Co
1. 80-23418/05956
2. 42-135-32807-0000
3. 103 000 000
4. Conoco Inc
5. Wight Unit (20661) No 109
6. Cowden North
7. Ector TX
8. 23.7 million cubic feet
9. March 31, 1980
10. Amoco Production Co
1. 80-23419/05870
2. 42-135-32796-0000
3. 103 000 000
4. Conoco Inc
5. Wight Unit (20661) No 105
6. Cowden North
7. Ector TX
8. 6.9 million cubic feet
9. March 31, 1980
10. Amoco Production Co
1. 80-23420/05849
2. 42-135-32762-0000
3. 103 000 000
4. Conoco Inc
5. East Cowden (GB) Unit (22927) #54
6. Cowden North
7. Ector TX
8. 10.5 million cubic feet
9. March 31, 1980
10. Amoco Production Co
1. 80-23421/05845
2. 42-135-32870-0000
3. 103 000 000
4. Conoco Inc
5. Wight Unit (20661) No 116
6. Cowden North
7. Ector TX
8. 22.3 million cubic feet
9. March 31, 1980
10. Amoco Production Co
1. 80-23422/05842
2. 42-135-32784-0000
3. 103 000 000
4. Conoco Inc
5. Wight Unit (20661) No 100
6. Cowden North
7. Ector TX
8. 11.7 million cubic feet
9. March 31, 1980
10. Amoco Production Co
1. 80-23423/05839
2. 42-135-32787-0000
3. 103 000 000
4. Conoco Inc
5. Wight Unit (20661) No 103
6. Cowden North
7. Ector TX
8. 133.2 million cubic feet
9. March 31, 1980
10. Amoco Production Co
1. 80-23424/05827
2. 42-135-32740-0000
3. 103 000 000
4. Conoco Inc
5. East Cowden (GB) Unit (22927) #51
6. Cowden North
7. Ector TX
8. 23.7 million cubic feet
9. March 31, 1980
10. Amoco Production Co
1. 80-23425/05815
2. 42-135-32861-0000
3. 103 000 000
4. Conoco Inc
5. Wight Unit (20661) No 113
6. Cowden North
7. Ector TX
8. 23.7 million cubic feet
9. March 31, 1980
10. Amoco Production Co
1. 80-23426/05721
2. 42-341-0000-0000
3. 108 000 000
4. WBD Oil & Gas Co
5. Morton #5 RRC02364
6. Panhandle Field
7. Moore County TX
8. 11.2 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23427/05171
2. 42-497-30067-0000
3. 108 000 000
4. Mitchell Energy Corp
5. O H McAlister #2 49564
6. Wise-Kent (Ham Sand)
7. Wise TX
8. 8.8 million cubic feet
9. March 31, 1980
10. Natural Gas Pipeline Co of America
1. 80-23428/05150
2. 42-103-00000-0000
3. 108 000 000
4. Getty Oil Co
5. North McElroy Unit No 3055
6. McElroy
7. Crane TX
8. .2 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23429/05118
2. 42-103-00000-0000
3. 108 000 000
4. Getty Oil Co
5. North McElroy Unit No 2955
6. McElroy
7. Crane TX
8. .2 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23430/05116
2. 42-103-00000-0000
3. 108 000 000
4. Getty Oil Co
5. North McElroy Unit No 2949

6. McElroy
7. Crane TX
8. 2 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23431/05109
2. 42-103-31799-0000
3. 103 000 000
4. Getty Oil Co
5. University M No 21
6. McElroy
7. Crane TX
8. 12.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23432/05108
2. 42-103-31780-0000
3. 103 000 000
4. Getty Oil Co
5. University M No 19
6. McElroy
7. Crane TX
8. 4.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23433/05107
2. 42-103-31800-0000
3. 103 000 000
4. Getty Oil Co
5. University M No 20
6. McElroy
7. Crane TX
8. 6.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23434/04887
2. 42-105-00000-0000
3. 103 000 000
4. OJB Inc
5. C C Montgomery EST #1-2
6. Ozona (Canyon Sand) Field
7. Crockett TX
8. 140.0 million cubic feet
9. March 31, 1980
10. Northern Natural Gas Co P & M Pipeline Corp
1. 80-23435/04859
2. 42-105-00000-0000
3. 103 000 000
4. OJB Inc
5. C C Montgomery EST #1-3
6. Ozona (Canyon Sand) Field
7. Crockett TX
8. 140.0 million cubic feet
9. March 31, 1980
10. Northern Natural Gas Company P & M Pipeline Corp
1. 80-23436/04850
2. 42-317-31954-0000
3. 103 000 000
4. Parker & Parsley Inc
5. Stroud A No 1
6. Spraberry (Trend Area)
7. Martin TX
8. 9.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23437/04824
2. 42-435-31940-0000
3. 103 000 000
4. Tucker Drilling Co Inc
5. Vanderstucken #3
6. Sawyer (Canyon) Field
7. Sutton TX
8. 26.7 million cubic feet
9. March 31, 1980
10. El Paso Natural Gas Co
1. 80-23438/04775
2. 42-103-31517-0000
3. 103 000 000
4. Warren Pet Co Div/Gulf Oil Corp
5. C-Bar S/A Unit #G-23
6. C-Bar (San Andres)
7. Crane TX
8. 5.0 million cubic feet
9. March 31, 1980
10. El Paso Natural Gas Co
1. 80-23439/04773
2. 42-195-00000-0000
3. 108 000 000
4. Argonaut Energy Corp
5. Venneman #1 60691
6. Clementine (Morrow Upper)
7. Hansford TX
8. 13.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23440/04689
2. 42-497-30972-0000
3. 103 000 000
4. Sun Oil Company
5. J Buchanan Unit No 2
6. Boonsville
7. Wise TX
8. 587.0 million cubic feet
9. March 31, 1980
10. Natural Gas Pipeline Co of America
1. 80-23441/04679
2. 42-435-32049-0000
3. 103 000 000
4. Tucker Drilling Co Inc
5. Collier Shurley #4
6. Sawyer (Canyon) Field
7. Sutton TX
8. 99.0 million cubic feet
9. March 31, 1980
10. El Paso Natural Gas Co
1. 80-23442/04589
2. 42-479-31484-0000
3. 103 000 000
4. Conoco Inc
5. H B Zachry-B-No 1 73864
6. Laredo (Lobo)
7. Webb TX
8. 25.0 million cubic feet
9. March 31, 1980
10. Delhi Gas Pipeline Corp Lovaca Gathering Co
1. 80-23443/04502
2. 42-383-31210-0000
3. 103 000 000
4. Houston Oil & Minerals Corp
5. Merchant Estate 14 No 7
6. Spraberry (Trend Area)
7. Reagan TX
8. 25.0 million cubic feet
9. March 31, 1980
10. Union Texas Petroleum
1. 80-23444/04095
2. 42-497-00000-0000
3. 108 000 000
4. Mitchell Energy Corp
5. Clarence Harrison #1 45062
6. Boonsville Bend Cong
7. Wise TX
8. 5.9 million cubic feet
9. March 31, 1980
10. Natural Gas Pipeline Co of America
1. 80-23445/03883
2. 42-435-32059-0000
3. 103 000 000
4. El Paso Natural Gas Co
5. Steen #18
6. Sonora
7. Sutton TX
8. 210.0 million cubic feet
9. March 31, 1980
10. El Paso Natural Gas Co
1. 80-23446/03882
2. 42-435-32025-0000
3. 103 000 000
4. El Paso Natural Gas Co
5. Meckel C #7
6. Sonora
7. Sutton TX
8. 96.0 million cubic feet
9. March 31, 1980
10. El Paso Natural Gas Co
1. 80-23447/03878
2. 42-435-32038-0000
3. 103 000 000
4. El Paso Natural Gas Co
5. Meckel #8C
6. Sonora
7. Sutton TX
8. 69.0 million cubic feet
9. March 31, 1980
10. El Paso Natural Gas Co
1. 80-23448/03877
2. 42-435-32057-0000
3. 103 000 000
4. El Paso Natural Gas Co
5. Meckel B #4
6. Sonora
7. Sutton TX
8. 18.0 million cubic feet
9. March 31, 1980
10. El Paso Natural Gas Co
1. 80-23449/07366
2. 42-233-00000-0000
3. 108 000 000
4. Cal-Tex Oil Co
5. Lucas (02087) No 3
6. Panhandle Hutchinson County
7. Hutchinson TX
8. 2.6 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23450/07365
2. 42-233-00000-0000
3. 108 000 000
4. Cal-Tex Oil Co
5. Lucas (02087) No 5
6. Panhandle Hutchinson County
7. Hutchinson TX
8. 6.3 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23451/07354
2. 42-233-00000-0000
3. 108 000 000
4. Cal-Tex Oil Co
5. Carver-C (02730) No 1
6. Panhandle Hutchinson County
7. Hutchinson TX
8. 11.0 million cubic feet
9. March 31, 1980
10. Diamond Shamrock Corp
1. 80-23452/07352
2. 42-233-00000-0000
3. 108 000 000
4. Cal-Tex Oil Co
5. Carver Area Waterfl #1(02712) #34
6. Panhandle Hutchinson County

7. Hutchinson TX
 8. 1.8 million cubic feet
 9. March 31, 1980
 10. Diamond Shamrock Corp
 1. 80-23453/07351
 2. 42-233-00000-0000
 3. 108 000 000
 4. Cal-Tex Oil Co
 5. Carver Area Waterfl #1(02712) #28
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. 16.1 million cubic feet
 9. March 31, 1980
 10. Diamond Shamrock Corp
 1. 80-23454/07350
 2. 42-233-00000-0000
 3. 108 000 000
 4. Cal-Tex Oil Co
 5. Carver Area Waterfl #1(02712) #20
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. 13.1 million cubic feet
 9. March 31, 1980
 10. Diamond Shamrock Corp
 1. 80-23455/07184
 2. 42-179-00000-0000
 3. 108 000 000
 4. Gasco Inc
 5. Davis Dial No 2 26494
 6. Panhandle East
 7. Gray TX
 8. 19.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23456/07398
 2. 42-065-00000-0000
 3. 108 000 000
 4. Cal-Tex Oil Co
 5. Vida-C (00104) No 2
 6. Panhandle Carson County
 7. Carson TX
 8. 2.6 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
 1. 80-23457/07393
 2. 42-065-00000-0000
 3. 108 000 000
 4. Cal-Tex Oil Co
 5. Garner-Ware (00108) No 2
 6. Panhandle Carson County
 7. Carson TX
 8. 2.9 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
 1. 80-23458/07388
 2. 42-065-00000-0000
 3. 108 000 000
 4. Cal-Tex Oil Co
 5. Garner-Ware (00108) No 1
 6. Panhandle Carson County
 7. Carson TX
 8. 6.9 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
 1. 80-23459/07387
 2. 42-065-00000-0000
 3. 108 000 000
 4. Cal-Tex Oil Co
 5. Vida-B (00103) No 1
 6. Panhandle Carson County
 7. Carson TX
 8. 3.7 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
 1. 80-23460/07386

2. 42-065-00000-0000
 3. 108 000 000
 4. Cal-Tex Oil Co
 5. Vida-A (00102) No 6
 6. Panhandle Carson County
 7. Carson TX
 8. 7.3 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
 1. 80-23461/07385
 2. 42-233-00000-0000
 3. 108 000 000
 4. Cal-Tex Oil Co
 5. Carver Area Waterfl #2(00729) #20
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. 2.2 million cubic feet
 9. March 31, 1980
 10. Diamond Shamrock Corp
 1. 80-23462/07505
 2. 42-003-00000-0000
 3. 108 000 000
 4. Amirillo Oil Co
 5. University R #1 20787
 6. Shafter Lake
 7. Andrews TX
 8. 4.0 million cubic feet
 9. March 31, 1980
 10. Pioneer Natural Gas Co
 1. 80-23463/07412
 2. 42-233-00000-0000
 3. 108 000 000
 4. Cal-Tex Oil Co
 5. Carver Area Waterfl #2(00729) #19
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. 20.0 million cubic feet
 9. March 31, 1980
 10. Diamond Shamrock Corp
 1. 80-23464/07411
 2. 42-233-00000-0000
 3. 108 000 000
 4. Cal-Tex Oil Co
 5. Luginbyhl-C (01551) No 3
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. 2.2 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23465/07408
 2. 42-233-00000-0000
 3. 108 000 000
 4. Cal-Tex Oil Co
 5. Carver Area Waterfl #2(00729) #13
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. .2 million cubic feet
 9. March 31, 1980
 10. Diamond Shamrock Corp
 1. 80-23466/07407
 2. 42-233-00000-0000
 3. 108 000 000
 4. Cal-Tex Oil Co
 5. Carver Area Waterfl #2(00729) #12
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. 10.9 million cubic feet
 9. March 31, 1980
 10. Diamond Shamrock Corp
 1. 80-23467/07406
 2. 42-065-00000-0000
 3. 108 000 000
 4. Cal-Tex Oil Co
 5. Vida-C (00104) No 1
 6. Panhandle Carson County

7. Carson TX
 8. 1.8 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
 1. 80-23468/07405
 2. 42-233-00000-0000
 3. 108 000 000
 4. Cal-Tex Oil Co
 5. Carver Area Waterfl #2(00729) #10
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. 9.8 million cubic feet
 9. March 31, 1980
 10. Diamond Shamrock Corp
 1. 80-23469/07404
 2. 42-233-00000-0000
 3. 108 000 000
 4. CAL-TEX Oil Co
 5. Carver Area Waterfl #2(00729) #9
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. 1.1 million cubic feet
 9. March 31, 1980
 10. Diamond Shamrock Corp
 1. 80-23470/07403
 2. 42-233-00000-0000
 3. 108 000 000
 4. CAL-TEX Oil Co
 5. Carver Area Waterfl #2(00729) #4
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. 1.1 million cubic feet
 9. March 31, 1980
 10. Diamond Shamrock Corp
 1. 80-23471/07721
 2. 42-355-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. G E Sullivan #4
 6. Stratton
 7. Nueces TX
 8. 14.0 million cubic feet
 9. March 31, 1980
 10. Tennessee Gas Pipeline Co
 1. 80-23472/07667
 2. 42-371-00000-0000
 3. 108 000 000
 4. Bill J Graham
 5. Iowa Realty Trust #33075
 6. Pecos Valley (Yates)
 7. Pecos TX
 8. 12.0 million cubic feet
 9. March 31, 1980
 10. El Paso Natural Gas Co
 1. 80-23473/07666
 2. 42-389-00000-0000
 3. 108 000 000
 4. Bill J Graham
 5. Frances Kerr #62310
 6. Cindy (Delaware)
 7. Reeves TX
 8. 6.0 million cubic feet
 9. March 31, 1980
 10. El Paso Natural Gas Co
 1. 80-23474/07645
 2. 42-039-31161-0000
 3. 102 000 000
 4. Anschutz Corp
 5. Phillip Renn et al No 1 (ID #80191)
 6. Danbury SW (12900-E)
 7. Brazoria TX
 8. 1280.0 million cubic feet
 9. March 31, 1980
 10. Dow Chemical Co Natural Gas Pipeline
 Co of America

1. 80-23475/07612
 2. 42-233-00000-0000
 3. 108 000 000
 4. Creed Bogan
 5. Whittenburg-A-(02333) No 2
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. 2.0 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
1. 80-23476/07611
 2. 42-233-00000-0000
 3. 108 000 000
 4. Creed Bogan
 5. Whittenburg-E-(02099) No 1
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. 3.8 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
1. 80-23477/07564
 2. 42-365-00000-0000
 3. 108 000 000
 4. T O & G Exploration Co
 5. Robert Johnson Unit #2-T
 6. Bethany-Travis Peak
 7. Panola TX
 8. 5.0 million cubic feet
 9. March 31, 1980
 10. Arkansas Louisiana Gas Co
1. 80-23478/07727
 2. 42-355-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. G E Sullivan #5
 6. Stratton
 7. Nueces TX
 8. 14.0 million cubic feet
 9. March 31, 1980
 10. Tennessee Gas Pipeline Co
1. 80-23479/07726
 2. 42-355-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. G E Sullivan #15
 6. Stratton
 7. Nueces TX
 8. 14.0 million cubic feet
 9. March 31, 1980
 10. Tennessee Gas Pipeline Co
1. 80-23480/07724
 2. 42-355-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. G E Sullivan #13
 6. Stratton
 7. Nueces TX
 8. 14.0 million cubic feet
 9. March 31, 1980
 10. Tennessee Gas Pipeline Co
1. 80-23481/07723
 2. 42-355-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. G E Sullivan #11
 6. Stratton
 7. Nueces TX
 8. 14.0 million cubic feet
 9. March 31, 1980
 10. Tennessee Gas Pipeline Co
1. 80-23482/07722
 2. 42-355-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. G E Sullivan #10
6. Stratton
 7. Nueces TX
 8. 14.0 million cubic feet
 9. March 31, 1980
 10. Tennessee Gas Pipeline Co
1. 80-23483/07805
 2. 42-233-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Hamilton (01134) No 42
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. 1.8 million cubic feet
 9. March 31, 1980
 10. Getty Oil Company
1. 80-23484/07804
 2. 42-233-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Hamilton (01134) No 42
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. .9 million cubic feet
 9. March 31, 1980
 10. Getty Oil Company
1. 80-23485/07755
 2. 42-105-00000-0000
 3. 108 000 000
 4. Delta Drilling Co
 5. J W Henderson C #1
 6. Ozona Southwest (Canyon)
 7. Crockett TX
 8. 5.6 million cubic feet
 9. March 31, 1980
 10. Northern Natural Gas Co
1. 80-23486/07736
 2. 42-355-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. G E Sullivan #14
 6. Stratton
 7. Nueces TX
 8. 14.0 million cubic feet
 9. March 31, 1980
 10. Tennessee Gas Pipeline Co
1. 80-23487/07735
 2. 42-355-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. G E Sullivan #3
 6. Stratton
 7. Nueces TX
 8. 14.0 million cubic feet
 9. March 31, 1980
 10. Tennessee Gas Pipeline Co
1. 80-23488/07729
 2. 42-355-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. G E Sullivan #7
 6. Stratton
 7. Nueces TX
 8. 14.0 million cubic feet
 9. March 31, 1980
 10. Tennessee Gas Pipeline Co
1. 80-23489/07858
 2. 42-483-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Wiles (03296) No 5
 6. Panhandle Wheeler County
 7. Wheeler TX
 8. .4 million cubic feet
 9. March 31, 1980
 10. Producers Gas Co
1. 80-23490/07855
 2. 42-483-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Harvey (03193) No 4
 6. Panhandle Wheeler County
 7. Wheeler TX
 8. .4 million cubic feet
 9. March 31, 1980
 10. Producers Gas Co
1. 80-23491/07854
 2. 42-483-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Bradshaw (02715) No 2
 6. Panhandle Wheeler County
 7. Wheeler TX
 8. 2.6 million cubic feet
 9. March 31, 1980
 10. Rael Gas Co
1. 80-23492/07853
 2. 42-483-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Benson (03033) No 1
 6. Panhandle Wheeler County
 7. Wheeler TX
 8. .4 million cubic feet
 9. March 31, 1980
 10. Producers Gas Company
1. 80-23493/07852
 2. 42-483-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Bradshaw (02715) No 6
 6. Panhandle Wheeler County
 7. Wheeler TX
 8. 3.3 million cubic feet
 9. March 31, 1980
 10. Rael Gas Co
1. 80-23494/07821
 2. 42-233-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Hamilton-B-(02084) No 71
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. 1.1 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
1. 80-23495/07820
 2. 42-233-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Hamilton-B-(02084) No 74
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. .7 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
1. 80-23496/07819
 2. 42-233-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Hamilton-B-(02084) No 77
 6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. 1.1 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
1. 80-23497/07818
 2. 42-233-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Hamilton-B-(02084) No 76

6. Panhandle Hutchinson County
 7. Hutchinson TX
 8. .4 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
 1. 80-23498/07869
 2. 42-483-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Sloss (01370) No 2
 6. Panhandle (Osborne Area)
 7. Wheeler TX
 8. .4 million cubic feet
 9. March 31, 1980
 10. Producers Gas Co
 1. 80-23499/07868
 2. 42-483-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Copeland (03334) No 4
 6. Panhandle Wheeler County
 7. Wheeler TX
 8. .4 million cubic feet
 9. March 31, 1980
 10. Producers Gas Co
 1. 80-23500/07867
 2. 42-483-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Sloss (01370) No 1
 6. Panhandle (Osborne Area)
 7. Wheeler TX
 8. .4 million cubic feet
 9. March 31, 1980
 10. Producers Gas Co
 1. 80-23501/07866
 2. 42-483-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Messer (03323) No 1
 6. Panhandle Wheeler County
 7. Wheeler TX
 8. .7 million cubic feet
 9. March 31, 1980
 10. Rael Gas Co
 1. 80-23502/07865
 2. 42-483-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Shull (03449) No 2
 6. Panhandle Wheeler County
 7. Wheeler TX
 8. 6.0 million cubic feet
 9. March 31, 1980
 10. Rael Gas Co
 1. 80-23503/07863
 2. 42-483-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Benson (03033) No 3
 6. Panhandle Wheeler County
 7. Wheeler TX
 8. .4 million cubic feet
 9. March 31, 1980
 10. Producers Gas Co
 1. 80-23504/07861
 2. 42-483-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Benson (03033) No 5
 6. Panhandle Wheeler County
 7. Wheeler TX
 8. .4 million cubic feet
 9. March 31, 1980
 10. Producers Gas Co

1. 80-23505/07860
 2. 42-483-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Benson (03033) No 2
 6. Panhandle Wheeler County
 7. Wheeler TX
 8. .4 million cubic feet
 9. March 31, 1980
 10. Producers Gas Co
 1. 80-23506/07859
 2. 42-483-00000-0000
 3. 108 000 000
 4. Sand Springs Oil & Gas Co
 5. Bradshaw (02715) No 3
 6. Panhandle Wheeler County
 7. Wheeler TX
 8. 3.3 million cubic feet
 9. March 31, 1980
 10. Rael Gas Co
 1. 80-23507/08838
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland B #3 01295
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23508/08837
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland B #2 01295
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23509/08836
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland B #1 01295
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23510/08835
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland F #14 00975
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23511/08834
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland F #15 00975
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23512/08851
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Childers #3 02131

6. Panhandle
 7. Hutchinson TX
 8. 6.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23513/08850
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Whittenburg #3 00920
 6. Panhandle
 7. Hutchinson TX
 8. 2.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23514/08849
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Whittenburg #2 00920
 6. Panhandle
 7. Hutchinson TX
 8. 2.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23515/08848
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Whittenburg #1 00920
 6. Panhandle
 7. Hutchinson TX
 8. 2.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23516/08845
 2. 42-495-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Colby #9 03202
 6. Kermit
 7. Winkler TX
 8. 78.0 million cubic feet
 9. March 31, 1980
 10. Cabot Corp
 1. 80-23517/08844
 2. 42-495-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Colby #4 03202
 6. Kermit
 7. Winkler TX
 8. 78.0 million cubic feet
 9. March 31, 1980
 10. Cabot Corp
 1. 80-23518/08841
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland F #13 00975
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23519/08840
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland F #12 00975
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co

1. 80-23520/08839
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland B #4 01295
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23521/09158
 2. 42-105-00000-0000
 3. 108 000 000
 4. J Cleo Thompson
 5. Thompson Fee No 6 (Rrc No 05660)
 6. Ozona Nw (Canyon)
 7. Crockett TX
 8. 11.0 million cubic feet
 9. March 31, 1980
 10. Shell Oil Co, El Paso Natural Gas Co
-
1. 80-23522/09084
 2. 42-483-30530-0000
 3. 103 000 000
 4. Texas American Oil Corp
 5. J Burrell No 1
 6. Panhandle East
 7. Wheeler TX
 8. 40.0 million cubic feet
 9. March 31, 1980
 10. Perry Gas Transmission Inc
-
1. 80-23523/09067
 2. 42-135-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Moss #15 02470
 6. Harper
 7. Ector TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23524/09066
 2. 42-135-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Moss #14 02470
 6. Harper
 7. Ector TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23525/09065
 2. 42-135-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Moss #13 02470
 6. Harper
 7. Ector TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23526/09062
 2. 42-135-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Moss #7 02470
 6. Harper
 7. Ector TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
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1. 80-23527/09060
 2. 42-135-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Moss #5 02470
-
6. Harper
 7. Ector TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
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1. 80-23528/09059
 2. 42-135-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Moss #4 02470
 6. Harper
 7. Ector TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23529/09056
 2. 42-135-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Moss #1 02470
 6. Harper
 7. Ector TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
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1. 80-23530/09057
 2. 42-135-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Moss #2 02470
 6. Harper
 7. Ector TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23531/09055
 2. 42-135-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Johnson B #10 09204
 6. Johnson
 7. Ector TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23532/09054
 2. 42-135-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Johnson B #9 09204
 6. Johnson
 7. Ector TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23533/09053
 2. 42-135-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Johnson B #7A 09204
 6. Johnson
 7. Ector TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23534/09051
 2. 42-135-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Johnson B #3A 09204
 6. Johnson
 7. Ector TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23535/09050
 2. 42-135-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Johnson B #2A 09204
 6. Johnson
 7. Ector TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23536/09049
 2. 42-135-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Johnson B #2 09204
 6. Johnson
 7. Ector TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23537/09048
 2. 42-135-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Johnson B #1X 09204
 6. Johnson
 7. Ector TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23538/09047
 2. 42-135-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Johnson B #1D 09204
 6. Johnson
 7. Ector TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23539/09046
 2. 42-135-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Johnson B #1 09204
 6. Johnson
 7. Ector TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23540/09039
 2. 42-233-00000-0000
 3. 108 000 000
 4. M D Oil Co
 5. Whittenburg M#2 (00953)
 6. Panhandle-Hutchinson
 7. Hutchinson TX
 8. .8 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23541/08896
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Thompson #12 01334
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23542/08893
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland B #9 10295

6. Panhandle
7. Hutchinson TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23543/08891
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Kingsland B #12 01295
6. Panhandle
7. Hutchinson TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23544/08889
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Kingsland B #18 01295
6. Panhandle
7. Hutchinson TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23545/08857
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Kingsland B #22 01295
6. Panhandle
7. Hutchinson TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23546/08858
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Kingsland B #23 01295
6. Panhandle
7. Hutchinson TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23547/08859
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Kingsland B #25 01295
6. Panhandle
7. Hutchinson TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23548/08862
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Kingsland B #21 01295
6. Panhandle
7. Hutchinson TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23549/08860
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Kingsland B #26 01295
6. Panhandle
7. Hutchinson TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co

1. 80-23550/08865
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Kingsland F #7 00975
6. Panhandle
7. Hutchinson TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23551/08864
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Kingsland F #6 00975
6. Panhandle
7. Hutchinson TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23552/08866
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Kingsland F #8 00975
6. Panhandle
7. Hutchinson TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23553/08867
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Kingsland F #9 00975
6. Panhandle
7. Hutchinson TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23554/08868
2. 42-495-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Colby #31 03202
6. Kermit
7. Winkler TX
8. 78.0 million cubic feet
9. March 31, 1980
10. Cabot Corp
1. 80-23555/08869
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Childers #2 02131
6. Panhandle
7. Hutchinson TX
8. 6.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23556/08870
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Whittenburg #6 00920
6. Panhandle
7. Hutchinson TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23557/08871
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Whittenburg #8 00920

6. Panhandle
7. Hutchinson TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23558/08873
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Kingsland B #20 01295
6. Panhandle
7. Hutchinson TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23559/08874
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Kingsland F #10 00975
6. Panhandle
7. Hutchinson TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23560/08875
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Kingsland F #11 00975
6. Panhandle
7. Hutchinson TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23561/08877
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Kingsland F #3 00975
6. Panhandle
7. Hutchinson TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23562/08878
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Kingsland F #4 00975
6. Panhandle
7. Hutchinson TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23563/08882
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Whittenburg #5 00920
6. Panhandle
7. Hutchinson TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23564/08883
2. 42-233-00000-0000
3. 108 000 000
4. Walsh & Watts Inc
5. Childers #1 02131
6. Panhandle
7. Hutchinson TX
8. 6.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co

1. 80-23565/08884
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland B #13 01295
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23566/08885
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland B #14 01295
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23567/08886
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland B #15 01295
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23568/08887
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland B #16 01295
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23569/08888
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland B #17 01295
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23570/08890
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland B #19 01295
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23571/08894
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland B #10 01295
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23572/08895
 2. 42-233-00000-0000
 3. 108 000 000
 4. Walsh & Watts Inc
 5. Kingsland B #11 01295
 6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
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6. Panhandle
 7. Hutchinson TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23573/09595
 2. 42-483-00000-0000
 3. 108 000 000
 4. Mobil Oil Corp
 5. Perkins-Cullum A #12
 6. Panhandle
 7. Wheeler TX
 8. .4 million cubic feet
 9. March 31, 1980
 10. Warren Petroleum Co
-
1. 80-23574/09596
 2. 42-483-00000-0000
 3. 108 000 000
 4. Mobil Oil Corp
 5. Perkins-Cullum A #11
 6. Panhandle
 7. Wheeler TX
 8. .4 million cubic feet
 9. March 31, 1980
 10. Warren Petroleum Co
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1. 80-23575/09598
 2. 42-483-00000-0000
 3. 108 000 000
 4. Mobil Oil Corp
 5. Perkins-Cullum A #6
 6. Panhandle
 7. Wheeler TX
 8. .4 million cubic feet
 9. March 31, 1980
 10. Warren Petroleum Co
-
1. 80-23576/09752
 2. 42-233-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. Hedgcock—Whittenburg #28
 6. Panhandle
 7. Hutchinson TX
 8. 3.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23577/09753
 2. 42-233-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. Hedgcock—Whittenburg #34
 6. Panhandle
 7. Hutchinson TX
 8. 3.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23578/09754
 2. 42-233-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. Hedgcock—Whittenburg #22
 6. Panhandle
 7. Hutchinson TX
 8. 3.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23579/09756
 2. 42-233-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. Hedgcock—Whittenburg #46
 6. Panhandle
 7. Hutchinson TX
 8. 3.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23580/09757
 2. 42-233-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. Hedgcock—Whittenburg #42
 6. Panhandle
 7. Hutchinson TX
 8. 3.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23581/09758
 2. 42-233-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. Hedgcock—Whittenburg #30
 6. Panhandle
 7. Hutchinson TX
 8. 3.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23582/09761
 2. 42-431-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. Reed H #2
 6. Credo Wolfcamp
 7. Sterling TX
 8. 6.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23583/09585
 2. 42-179-00000-0000
 3. 108 000 000
 4. Mobil Oil Corp
 5. J B Bowers #8
 6. Panhandle
 7. Gray TX
 8. 1.6 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23584/09586
 2. 42-179-00000-0000
 3. 108 000 000
 4. Mobil Oil Corp
 5. J B Bowers #4
 6. Panhandle
 7. Gray TX
 8. .5 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23585/09587
 2. 42-179-00000-0000
 3. 108 000 000
 4. Mobil Oil Corp
 5. J B Bowers #1
 6. Panhandle
 7. Gray TX
 8. .6 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
-
1. 80-23586/09591
 2. 42-483-00000-0000
 3. 108 000 000
 4. Mobil Oil Corp
 5. Perkins-Cullum A #17
 6. Panhandle
 7. Wheeler TX
 8. .4 million cubic feet
 9. March 31, 1980
 10. Warren Petroleum Co
-
1. 80-23587/09592
 2. 42-483-00000-0000
 3. 108 000 000
 4. Mobil Oil Corp
 5. Perkins-Cullum A #16

6. Panhandle
7. Wheeler TX
8. 4 million cubic feet
9. March 31, 1980
10. Warren Petroleum Co
1. 80-23588/09593
2. 42-483-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. Perkins-Cullum A #15
6. Panhandle
7. Wheeler TX
8. 4 million cubic feet
9. March 31, 1980
10. Warren Petroleum Co
1. 80-23589/09594
2. 42-483-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. Perkins-Cullum A #13
6. Panhandle
7. Wheeler TX
8. 4 million cubic feet
9. March 31, 1980
10. Warren Petroleum Corp
1. 80-23590/09492
2. 42-179-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. Fee #227 Well #73
6. Panhandle
7. Gray TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Coltexo Corp Phillips Petroleum Co
1. 80-23591/09494
2. 42-179-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. Fee #227 Well #75
6. Panhandle
7. Gray TX
8. 1.8 million cubic feet
9. March 31, 1980
10. Coltexo Corp Phillips Petroleum Co
1. 80-23592/09508
2. 42-179-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. Siler Faulkner #2
6. Panhandle
7. Gray TX
8. 6.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23593/09514
2. 42-179-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. R E Darsey #29
6. Panhandle
7. Gray TX
8. 15.3 million cubic feet
9. March 31, 1980
10. Coltexo Corp
1. 80-23594/09535
2. 42-179-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. Fee #227 Well #96
6. Panhandle
7. Gray TX
8. 2.8 million cubic feet
9. March 31, 1980
10. Coltexo Corp Phillips Petroleum Co
1. 80-23595/09534
2. 42-179-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. Fee #227 Well #89
6. Panhandle
7. Gray TX
8. 1.9 million cubic feet
9. March 31, 1980
10. Coltexo Corp Phillips Petroleum Co
1. 80-23596/09529
2. 42-179-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. Fee #227 Well #116
6. Panhandle
7. Gray TX
8. 2.3 million cubic feet
9. March 31, 1980
10. Coltexo Corp Phillips Petroleum Co
1. 80-23597/09578
2. 42-483-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. J P Koons #11
6. Panhandle
7. Wheeler TX
8. 1.4 million cubic feet
9. March 31, 1980
10. Warren Petroleum Corp
1. 80-23598/09581
2. 42-483-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. Perkins-Cullum A #18
6. Panhandle
7. Wheeler TX
8. 4 million cubic feet
9. March 31, 1980
10. Warren Petroleum Corp
1. 80-23599/09582
2. 42-483-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. Perkins-Cullum A #20
6. Panhandle
7. Wheeler TX
8. 4 million cubic feet
9. March 31, 1980
10. Warren Petroleum Corp
1. 80-23600/09583
2. 42-179-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. J B Bowers #11
6. Panhandle
7. Gray TX
8. .3 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23601/09755
2. 42-233-00000-0000
3. 108 000 000
4. American Petrofina Co of Texas
5. Hedgecoke-Whittenburg #31
6. Panhandle
7. Hutchinson TX
8. 3.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23602/09540
2. 42-483-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. J P Koons #9
6. Panhandle
7. Wheeler TX
8. .5 million cubic feet
9. March 31, 1980
10. Warren Petroleum Corp
1. 80-23603/09547
2. 42-211-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. Margaret Hodgson #3
6. Feldman
7. Hemphill TX
8. 3.5 million cubic feet
9. March 31, 1980
10. Transwestern Pipeline Co
1. 80-23604/09552
2. 42-295-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. William T Brownlee #3
6. Kelln
7. Lipscomb TX
8. 1.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23605/09555
2. 42-179-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. A Holmes #3
6. Panhandle
7. Gray TX
8. 9.9 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23606/09573
2. 42-179-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. Tom Catlin #1
6. Panhandle
7. Gray TX
8. .9 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23607/09574
2. 42-179-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. Tom Catlin #2
6. Panhandle
7. Gray TX
8. .6 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23608/09575
2. 42-179-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. Tom Catlin #3
6. Panhandle
7. Gray TX
8. 1.7 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23609/09576
2. 42-179-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. Tom Catlin #4
6. Panhandle
7. Gray TX
8. 1.5 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co

1. 80-23610/09170
2. 42-365-00000-0000
3. 108 000 000
4. Nemours Corp
5. L Werner Sawmill #3 29421
6. Bethany (Pettit)
7. Panola TX
8. 11.0 million cubic feet
9. March 31, 1980
10. Tennessee Gas Pipe Line Co
1. 80-23611/09307
2. 42-135-00000-0000
3. 108 000 000
4. Carter Foundation Production Co
5. J E Parker #11
6. Harper
7. Ector TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23612/09310
2. 42-135-00000-0000
3. 108 000 000
4. Carter Foundation Production Co
5. J E Parker #15
6. Harper
7. Ector TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23613/09311
2. 42-135-00000-0000
3. 108 000 000
4. Carter Foundation Production Co
5. J E Parker #14
6. Harper
7. Ector TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23614/09312
2. 42-135-00000-0000
3. 108 000 000
4. Carter Foundation Production Co
5. J E Parker #9
6. Harper
7. Ector TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23615/09313
2. 42-135-00000-0000
3. 108 000 000
4. Carter Foundation Production Co
5. J E Parker #8
6. Harper
7. Ector TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23616/09491
2. 42-179-00000-0000
3. 108 000 000
4. Mobil Oil Corp
5. Fee #227 Well #72
6. Panhandle
7. Gray TX
8. 3.7 million cubic feet
9. March 31, 1980
10. Coltexo Corp Phillips Petroleum Co
1. 80-23617/09376
2. 42-483-00000-0000
3. 108 000 000
4. Sand Springs Oil & Gas Co
5. Bradshaw(02715) No 4
6. Panhandle Wheeler County
7. Wheeler TX
8. 2.6 million cubic feet
9. March 31, 1980
10. Rael Gas Co
1. 80-23618/09174
2. 42-365-00000-0000
3. 108 000 000
4. Wilhelmina Dup Ross
5. Carrie Adams #1 29431
6. Bethany Field (Pettit)
7. Panola TX
8. 20.0 million cubic feet
9. March 31, 1980
10. Tennessee Gas Pipe Line Co
1. 80-23619/09301
2. 42-135-00000-0000
3. 108 000 000
4. Carter Foundation Production Co
5. J E Parker #5
6. Harper
7. Ector TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23620/09302
2. 42-135-00000-0000
3. 108 000 000
4. Carter Foundation Production Co
5. J E Parker #10
6. Harper
7. Ector TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23621/09303
2. 42-135-00000-0000
3. 108 000 000
4. Carter Foundation Production Co
5. J E Parker #12
6. Harper
7. Ector TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23622/09304
2. 42-135-00000-0000
3. 108 000 000
4. Carter Foundation Production Co
5. J E Parker #13
6. Harper
7. Ector TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23623/09305
2. 42-135-00000-0000
3. 108 000 000
4. Carter Foundation Production Co
5. J E Parker #6
6. Harper
7. Ector TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23624/09306
2. 42-135-00000-0000
3. 108 000 000
4. Carter Foundation Production Co
5. J E Parker #4
6. Harper
7. Ector TX
8. 2.0 million cubic feet
9. March 31, 1980
10. Phillips Petroleum Co
1. 80-23625/09982
2. 42-233-00000-0000
3. 108 000 000
4. Texaco Inc
5. R L Pond #1
6. Panhandle
7. Hutchinson TX
8. 18.7 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23626/09985
2. 42-233-00000-0000
3. 108 000 000
4. Texaco Inc
5. R L Pond #43
6. Panhandle
7. Hutchinson TX
8. 11.1 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23627/09986
2. 42-233-00000-0000
3. 108 000 000
4. Texaco Inc
5. R L Pond #41
6. Panhandle
7. Hutchinson TX
8. 10.9 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23628/09987
2. 42-233-00000-0000
3. 108 000 000
4. Texaco Inc
5. R L Pond #40
6. Panhandle
7. Hutchinson TX
8. 10.3 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23629/10754
2. 42-475-31704-0000
3. 103 000 000
4. Hng Oil Co
5. Avary 123 #3 ID #24644
6. Rhoda Walker (Canyon 5900)
7. Ward TX
8. 53.0 million cubic feet
9. March 31, 1980
10. Delhi Gas Pipeline Corp
1. 80-23630/09976
2. 42-233-00000-0000
3. 108 000 000
4. Texaco Inc
5. R L Pond #20
6. Panhandle
7. Hutchinson TX
8. 8.0 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23631/09978
2. 42-233-00000-0000
3. 108 000 000
4. Texaco Inc
5. R L Pond #12
6. Panhandle
7. Hutchinson TX
8. 5.3 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23632/09979
2. 42-233-00000-0000
3. 108 000 000
4. Texaco Inc
5. R L Pond #11

6. Panhandle
 7. Hutchinson TX
 8. 15.9 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
 1. 80-23633/09980
 2. 42-233-00000-0000
 3. 108 000 000
 4. Texaco Inc
 5. R L Pond #9
 6. Panhandle
 7. Hutchinson TX
 8. 6.4 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
 1. 80-23634/09981
 2. 42-233-00000-0000
 3. 108 000 000
 4. Texaco Inc
 5. R L Pond No 2
 6. Panhandle
 7. Hutchinson TX
 8. 12.6 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
 1. 80-23635/09966
 2. 42-233-00000-0000
 3. 108 000 000
 4. Texaco Inc
 5. T D Lewis NCT-4 #83
 6. Panhandle (Hutchinson County)
 7. Hutchinson TX
 8. 4.0 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
 1. 80-23636/09969
 2. 42-233-00000-0000
 3. 108 000 000
 4. Texaco Inc
 5. T D Lewis NCT-4 #82
 6. Panhandle (Hutchinson County)
 7. Hutchinson TX
 8. 4.1 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
 1. 80-23637/09970
 2. 42-233-00000-0000
 3. 108 000 000
 4. Texaco Inc
 5. T D Lewis NCT-4 #80
 6. Panhandle (Hutchinson County)
 7. Hutchinson TX
 8. 2.5 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
 1. 80-23638/09971
 2. 42-233-00000-0000
 3. 108 000 000
 4. Texaco Inc
 5. T D Lewis NCT-4 #78
 6. Panhandle (Hutchinson County)
 7. Hutchinson TX
 8. 3.4 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
 1. 80-23639/09765
 2. 42-103-10286-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. T C Barnsley #1
 6. Sand Hills (Tubb)
 7. Crane TX
 8. 6.0 million cubic feet
 9. March 31, 1980
 10. Warren Petroleum Co

1. 80-23640/09766
 2. 42-135-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. R B Cowden W #1
 6. Goldsmith 5600
 7. Ector TX
 8. 2.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23641/09775
 2. 42-135-00000-0000
 3. 108 000 000
 4. American Petrofina Co of Texas
 5. R B Cowden A #1
 6. Goldsmith (5600)
 7. Ector TX
 8. 3.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23642/09791
 2. 42-179-00000-0000
 3. 108 000 000
 4. Sage Petroleum Co
 5. Melton #1
 6. Panhandle
 7. Gray TX
 8. .8 million cubic feet
 9. March 31, 1980
 10. Pioneer Natural Gas Co
 1. 80-23643/09889
 2. 42-179-00000-0000
 3. 108 000 000
 4. Texaco Inc
 5. A Chapman A NCT-2 #21
 6. Panhandle
 7. Gray TX
 8. 1.7 million cubic feet
 9. March 31, 1980
 10. Coltex Corp
 1. 80-23644/09890
 2. 42-179-00000-0000
 3. 108 000 000
 4. Texaco Inc
 5. A Holmes #5
 6. Panhandle
 7. Gray TX
 8. 1.2 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23645/09891
 2. 42-179-00000-0000
 3. 108 000 000
 4. Texaco Inc
 5. Robert Jackson #5
 6. Panhandle
 7. Gray TX
 8. 4.2 million cubic feet
 9. March 31, 1980
 10. Coltex Corp
 1. 80-23646/09892
 2. 42-179-00000-0000
 3. 108 000 000
 4. Texaco Inc
 5. Robert Jackson No 2
 6. Panhandle
 7. Gray TX
 8. 3.0 million cubic feet
 9. March 31, 1980
 10. Coltex Corp
 1. 80-23647/09898
 2. 42-179-00000-0000
 3. 108 000 000
 4. Texaco Inc
 5. J C Short #13

6. Panhandle
 7. Gray TX
 8. 9.9 million cubic feet
 9. March 31, 1980
 10. Coltex Corp
 1. 80-23648/09900
 2. 42-193-00000-0000
 3. 108 000 000
 4. Texaco Inc
 5. E M Carmody B #1
 6. Twin (Des Moines)
 7. Hansford TX
 8. 3.3 million cubic feet
 9. March 31, 1980
 10. Northern Natural Gas Co
 1. 80-23649/09911
 2. 42-179-00000-0000
 3. 108 000 000
 4. Texaco Inc
 5. H M Davis #10
 6. Panhandle
 7. Gray TX
 8. 4.9 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23650/09912
 2. 42-179-00000-0000
 3. 108 000 000
 4. Texaco Inc
 5. H M Davis #8
 6. Panhandle
 7. Gray TX
 8. 2.3 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co
 1. 80-23651/09975
 2. 42-233-00000-0000
 3. 108 000 000
 4. Texaco Inc
 5. R L Pond #21
 6. Panhandle
 7. Hutchinson TX
 8. 8.9 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
 1. 80-23652/13999
 2. 42-203-30255-0000
 3. 102 000 000
 4. Amoco Production Company
 5. J S Anderson Gas Unit No 1
 6. Woodlawn SW (Cotton Valley)
 7. Harrison TX
 8. 36.0 million cubic feet
 9. March 31, 1980
 10. East Texas Industrial Gas Co
 1. 80-23653/09954
 2. 42-233-00000-0000
 3. 108 000 000
 4. Texaco Inc
 5. T D Lewis NCT-4 #31
 6. Panhandle (Hutchinson County)
 7. Hutchinson TX
 8. 5.0 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co
 1. 80-23654/09953
 2. 42-233-00000-0000
 3. 108 000 000
 4. Texaco Inc
 5. T D Lewis NCT-4 #34
 6. Panhandle (Hutchinson County)
 7. Hutchinson TX
 8. 4.0 million cubic feet
 9. March 31, 1980
 10. Getty Oil Co

1. 80-23655/09952
2. 42-233-00000-0000
3. 108 000 000
4. Texaco Inc
5. T D Lewis NCT-4 #24
6. Panhandle (Hutchinson County)
7. Hutchinson TX
8. 4.8 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23656/09918
2. 42-461-00000-0000
3. 108 000 000
4. Texaco Inc
5. J H Graf NCT-4 No 1
6. Hazel (Spraberry)
7. Upton TX
8. 16.0 million cubic feet
9. March 31, 1980
10. El Paso Natural Gas CO
1. 80-23657/09974
2. 42-233-00000-0000
3. 108 000 000
4. Texaco Inc
5. T D Lewis NCT-4 No 42
6. Panhandle (Hutchinson County)
7. Hutchinson, TX
8. 3.7 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23658/09973
2. 42-233-00000-0000
3. 108 000 000
4. Texaco Inc
5. T D Lewis NCT-4 #43
6. Panhandle (Hutchinson County)
7. Hutchinson, TX
8. 2.8 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23659/09972
2. 42-233-00000-0000
3. 108 000 000
4. Texaco Inc
5. T D Lewis NCT-4 #76
6. Panhandle (Hutchinson County)
7. Hutchinson, TX
8. 3.4 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23660/09964
2. 42-233-00000-0000
3. 108 000 000
4. Texaco Inc
5. T D Lewis NCT-4 #41
6. Panhandle (Hutchinson County)
7. Hutchinson, TX
8. 3.5 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23661/09957
2. 42-233-00000-0000
3. 108 000 000
4. Texaco Inc
5. T D Lewis NCT-4 #25
6. Panhandle (Hutchinson County)
7. Hutchinson, TX
8. 2.8 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23662/09956
2. 42-233-00000-0000
3. 108 000 000
4. Texaco Inc
5. T D Lewis NCT-4 #29

6. Panhandle (Hutchinson County)
7. Hutchinson, TX
8. 3.6 million cubic feet
9. March 31, 1980
10. Getty Oil Co
1. 80-23663/09955
2. 42-233-00000-0000
3. 108 000 000
4. Texaco Inc
5. T D Lewis NCT-4 #30
6. Panhandle (Hutchinson County)
7. Hutchinson, TX
8. 3.5 million cubic feet
9. March 31, 1980
10. Getty Oil Co

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the commission's office of public information, room 1000, 825 North Capitol Street, NE, Washington, DC 20426.

Persons objecting to any of these final determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the commission on or before May 6, 1980.

Please reference the FERC control number in all correspondence related to these determinations.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12063 Filed 4-18-80; 8:45 am]

BILLING CODE 6450-85-M

[No. 181]

Determinations by Jurisdictional Agencies Under the Natural Gas Policy Act of 1978

Issued April 15, 1980.

The Federal Energy Regulatory Commission received notices from the jurisdictional agencies listed below of determinations pursuant to 18 CFR 274.104 and applicable to the indicated wells pursuant to the Natural Gas Policy Act of 1978.

Kansas Corporation Commission

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 80-23946/K-79-0358
2. 15-007-00000-0000
3. 108 000 000
4. Getty Oil Co
5. Morrow A #1
6. Aetna field

7. Barber KS
8. .0 million cubic feet
9. March 26, 1980
10. Cities Service Co
1. 80-23967/K-79-1414
2. 15-145-20530-0000
3. 102 000 000
4. Benson Mineral Group Inc
5. Reiderer #1
6. Bryant SE
7. Pawnee KS
8. 15.1 million cubic feet
9. April 1, 1980
10. Northern Natural Gas Co
1. 80-23968/K-79-1446
2. 15-127-20185-0000
3. 102 000 000
4. Benson Mineral Group Inc
5. Fuson #7-21
6. Wilde
7. Morris KS
8. 9.9 million cubic feet
9. April 1, 1980
10. Mapco Production Co
1. 80-23969/K-79-1447
2. 15-127-20290-0000
3. 102 000 000
4. Benson Mineral Group Inc
5. Veal #2-31
6. Wilde
7. Morris KS
8. 15.3 million cubic feet
9. April 1, 1980
10. Mapco Production Co
1. 80-23970/K-79-1449
2. 15-127-20245-0000
3. 102 000 000
4. Benson Mineral Group Inc
5. Amos #1-16
6. Wilde
7. Morris KS
8. 26.3 million cubic feet
9. April 1, 1980
10. Mapco Production Inc

New Mexico Department of Energy and Minerals, Oil Conservation Division

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No.
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 80-23947/T-2
2. 30-015-23001-0000
3. 102 000 000
4. Harvey E Yates Co
5. Loco Hills Welch #2
- 6.
7. Eddy NM
8. 550.0 million cubic feet
9. March 31, 1980
10. El Paso Natural Gas Co
1. 80-23948
2. 30-015-22917-0000
3. 102 000 000
4. Harvey E Yates Co
5. Amoco 22 State 2
- 6.
7. Eddy County NM
8. 364.0 million cubic feet

9. March 31, 1980
 10. Llano Inc
 1. 80-23949
 2. 30-025-26364-0000
 3. 103 000 000
 4. Exxon Corp
 5. New Mexico Z State #3
 6. Langlie Mattix
 7. Lea NM
 8. 14.0 million cubic feet
 9. March 31, 1980
 10. El Paso Natural Gas Co
 1. 80-23950
 2. 30-025-26363-0000
 3. 103 000 000
 4. Exxon Corp
 5. New Mexico Z State #2
 6. Langlie Mattix
 7. Lea NM
 8. 14.0 million cubic feet
 9. March 31, 1980
 10. El Paso Natural Gas Co
 1. 80-23951
 2. 30-045-23647-0000
 3. 103 000 000
 4. Southland Royalty Co
 5. Harper #2-E
 6. Basin Dakota
 7. San Juan NM
 8. 75.0 million cubic feet
 9. March 31, 1980
 10. Southern Union Gathering Co
 1. 80-23952
 2. 30-025-26549-0000
 3. 103 000 000
 4. Amerada Hess Corp
 5. State WEF #4
 6. Eumont
 7. Lea NM
 8. 377.0 million cubic feet
 9. March 31, 1980
 10. El Paso Natural Gas Co
 1. 80-23953
 2. 30-015-00000-0000
 3. 108 000 000
 4. Corinne Grace
 5. Gradonoco Com #1
 6. South Carlsbad Morrow
 7. Eddy NM
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Transwestern Pipeline Co
 1. 80-23954
 2. 30-025-25804-0000
 3. 103 000 000
 4. Read & Stevens Inc
 5. Scharb Com #1
 6. Scharb Bone Spring
 7. Lea NM
 8. 28.0 million cubic feet
 9. March 31, 1980
 10. Warren Petroleum Co
 1. 80-23955
 2. 30-025-26473-0000
 3. 103 000 000
 4. Read & Stevens Inc
 5. Quail State No 4
 6. Quail Queen
 7. Lea NM
 8. 6.0 million cubic feet
 9. March 31, 1980
 10. Warren Petroleum Co
 1. 80-23956
 2. 30-025-26426-0000

3. 103 000 000
 4. Alpha Twenty-one Production Co
 5. El Paso Plant No 1
 6. Jalmat
 7. Lea NM
 8. 91.0 million cubic feet
 9. March 31, 1980
 10. El Paso Natural Gas Co
 1. 80-23971
 2. 30-025-00000-0000
 3. 108 000 000
 4. Amerada Hess Corp
 5. J G Hare #7
 6. Eunice
 7. Lea NM
 8. 11.1 million cubic feet
 9. April 1, 1980
 10. Natural Natural Gas Co
 1. 80-23972
 2. 30-015-22941-0000
 3. 103 000 000
 4. Perry R Bass
 5. Bass Merchant State No 1
 6. Palmillo Bone Springs
 7. Eddy NM
 8. 80.0 million cubic feet
 9. April 1, 1980
 10. Phillips Petroleum Co
 1. 80-23973
 2. 30-025-00000-0000
 3. 108 000 000
 4. Amerada Hess Corp
 5. W A Weir #8
 6. Monument
 7. Lea NM
 8. 1.6 million cubic feet
 9. April 1, 1980
 10. Warren Petroleum Co
 1. 80-23974
 2. 30-025-00000-0000
 3. 108 000 000
 4. Amerada Hess Corp
 5. State T #6
 6. Monument
 7. Lea NM
 8. 12.1 million cubic feet
 9. April 1, 1980
 10. Northern Natural Gas Co
 1. 80-23975
 2. 30-015-22901-0000
 3. 103 000 000
 4. Morris R Antweil
 5. Muy Macho Com No 1
 6. Burton Flat Morrow
 7. Eddy NM
 8. 550.0 million cubic feet
 9. April 1, 1980
 10. El Paso Natural Gas Co
 1. 80-23976
 2. 30-045-23573-0000
 3. 103 000 000
 4. El Paso Natural Gas Co
 5. Hutchins #2
 6. Blanco Pictured Cliffs
 7. San Juan NM
 8. 80.0 million cubic feet
 9. April 1, 1980
 10. El Paso Natural Gas Co
 1. 80-23977
 2. 30-039-21636-0000
 3. 108 000 000 denied
 4. El Paso Natural Gas Co
 5. San Juan 28-7 unit #249
 6. Basin-Dakota Gas
 7. Rio Arriba NM

8. 47.0 million cubic feet
 9. April 1, 1980
 10. El Paso Natural Gas Co
 1. 80-23978
 2. 30-015-22413-0000
 3. 108 000 000
 4. Yates Petroleum Corp
 5. Siegenthaler IS Com No 2
 6. Wildcat (Canyon)
 7. Eddy NM
 8. .0 million cubic feet
 9. April 1, 1980
 10. El Paso Natural Gas Co
 1. 80-23979
 2. 30-015-21755-0000
 3. 108 000 000
 4. Yates Petroleum Corp
 5. Moore FQ No 1
 6. Undesignated Cemetery Morrow
 7. Eddy NM
 8. .0 million cubic feet
 9. April 1, 1980
 10. Transwestern Pipeline Co

**Pennsylvania Department of Environmental
 Resources, Division of Oil and Gas**

1. Control number (FERC/State)
 2. API well number
 3. Section of NGPA
 4. Operator
 5. Well name
 6. Field or OCS area name
 7. County, State or block No.
 8. Estimated annual volume
 9. Date received at FERC
 10. Purchaser(s)
 1. 80-23980/2153
 2. 37-049-20105-0003
 3. 108 000 000
 4. Chemco Inc
 5. Jacobs #1 ERI 105
 6. Albion
 7. Erie PA
 8. 1.8 million cubic feet
 9. April 2, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23981/2786
 2. 37-031-20559-0003
 3. 108 000 000
 4. Armclar Gas Co
 5. D Hetrick #3-76A
 6. Climax
 7. Clarion PA
 8. 4.6 million cubic feet
 9. April 2, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23982/2787
 2. 37-031-20561-0003
 3. 108 000 000
 4. Armclar Gas Co
 5. D Hetrick #4-77A
 6. Climax
 7. Clarion PA
 8. 9.3 million cubic feet
 9. April 2, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23983/2788
 2. 37-005-21429-0003
 3. 108 000 000
 4. Armclar Gas Co
 5. W S Smith #1 70A
 6. Beautiful Lookout
 7. Armstrong PA

8. 3.7 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-23984/2789
2. 37-005-21459-0003
3. 108 000 000
4. Armclar Gas Co
5. W S Smith #2 71A
6. Beautiful Lookout
7. Armstrong PA
8. 3.7 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-23985/2790
2. 37-005-21556-0003
3. 108 000 000
4. Armclar Gas Co
5. Edwin Troup #1-73A
6. Beautiful Lookout
7. Armstrong PA
8. 3.3 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-23986/2792
2. 37-005-20401-0003
3. 108 000 000
4. Armclar Gas Co
5. B Wadding #2-27A
6. Hogback
7. Armstrong PA
8. 3.7 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-23987/2793
2. 37-005-20421-0003
3. 108 000 000
4. Armclar Gas Co
5. B Wadding #3-28A
6. Hogback
7. Armstrong PA
8. 3.7 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-23988/2796
2. 37-031-20203-0003
3. 108 000 000
4. Armclar Gas Co
5. J P Barnett #1-40A
6. Porter
7. Clarion PA
8. 1.5 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-23989/2798
2. 37-005-20983-0003
3. 108 000 000
4. Armclar Gas Co
5. D K Shaffer #1-58A
6. Beautiful Lookout
7. Armstrong PA
8. 4.0 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-23990/2800
2. 37-005-20823-0003
3. 108 000 000
4. Armclar Gas Co
5. Wolfe #1-47A
6. Hogback
7. Armstrong PA
8. 3.0 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-23991/2801
2. 37-005-20876-0003
3. 108 000 000
4. Armclar Gas Co
5. Wolfe #3-49A
6. Hogback
7. Armstrong PA
8. 3.0 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-23992/2802
2. 37-005-20883-0003
3. 108 000 000
4. Armclar Gas Co
5. Wolfe #4-50A
6. Hogback
7. Armstrong PA
8. 3.0 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-23993/2803
2. 37-005-21010-0003
3. 108 000 000
4. Armclar Gas Co
5. Wolfe #8 57A
6. Hogback
7. Armstrong PA
8. 11.0 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-23994/2806
2. 37-005-20736-0003
3. 108 000 000
4. Armclar Gas Co
5. V Ray Hetrick #2 43A
6. Distant
7. Armstrong PA
8. 3.1 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-23995/2807
2. 37-005-20593-0003
3. 108 000 000
4. Armclar Gas Co
5. Ben Desantis #1-33A
6. Hogback
7. Armstrong PA
8. 14.0 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-23996/2808
2. 37-005-20605-0003
3. 108 000 000
4. Armclar Gas Co
5. Ben Desantis #2-34A
6. Hogback
7. Armstrong PA
8. 14.0 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-23997/2809
2. 37-005-20822-0003
3. 108 000 000
4. Armclar Gas Co
5. Ben Desantis #A-46A
6. Hogback
7. Armstrong PA
8. 14.0 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-23998/2810
2. 37-005-20938-0003
3. 108 000 000
4. Armclar Gas Co
5. Dinger-Wolfgang #1 55A
6. Beautiful Lookout
7. Armstrong PA
8. 3.3 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-23999/2811
2. 37-005-21328-0003
3. 108 000 000
4. Armclar Gas Co
5. John Sullivan #1-64A
6. Hogback
7. Armstrong Co PA
8. 3.3 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-24000/2812
2. 37-031-20176-0003
3. 108 000 000
4. Armclar Gas Co
5. D Hetrick #1-37A
6. Climax
7. Clarion PA
8. 2.6 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-24001/2813
2. 37-005-20919-0003
3. 108 000 000
4. Armclar Gas Co
5. Wolfe #5-51A
6. Hogback
7. Armstrong PA
8. 3.2 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-24002/2814
2. 37-005-20925-0003
3. 108 000 000
4. Armclar Gas Co
5. Wolfe #6-52A
6. Hogback
7. Armstrong PA
8. 3.2 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-24003/2815
2. 37-005-20925-0003
3. 108 000 000
4. Armclar Gas Co
5. Wolfe #7-53A
6. Hogback
7. Armstrong PA
8. 3.2 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-24004/2816
2. 37-005-21098-0003
3. 108 000 000
4. Armclar Gas Co
5. Wolfe #10-62A
6. Hogback
7. Armstrong PA
8. 3.2 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-24005/2817
2. 37-005-22083-0003
3. 103 000 000
4. Armclar Gas Co
5. Kenneth Moorhead #1-80A
6. Climax Field
7. Armstrong PA
8. 7.3 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-24006/2818

2. 37-005-22086-0003
3. 103 000 000
4. Armclar Gas Co
5. Kenneth Moorhead #2-81A
6. Climax Field
7. Armstrong PA
8. 7.3 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-24007/2819
2. 37-005-22042-0003
3. 103 000 000
4. Armclar Gas Co
5. John Sullivan #2-78A
6. Hogback
7. Armstrong PA
8. 6.4 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-24008/2820
2. 37-005-22073-0003
3. 103 000 000
4. Armclar Gas Co
5. John Sullivan #3-79A
6. Hogback
7. Armstrong PA
8. 6.4 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-24009/3216
2. 37-005-20135-0003
3. 108 000 000
4. Armclar Gas Co
5. A A Allen #3-15A
6. Distant
7. Armstrong PA
8. 1.6 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24010/3217
2. 37-005-20183-0003
3. 108 000 000
4. Armclar Gas Co
5. A A Allen #4-16A
6. Distant
7. Armstrong PA
8. 1.6 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24011/3218
2. 37-005-21229-0003
3. 108 000 000
4. Armclar Gas Co
5. Ross Bachline #27
6. Hogback
7. Armstrong PA
8. 3.1 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24012/3220
2. 37-005-20279-0003
3. 108 000 000
4. Armclar Gas Co
5. Bertha Snyder #17
6. Beautiful Lookout
7. Armstrong PA
8. 3.3 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24013/3221
2. 37-005-21936-0003
3. 108 000 000
4. Armclar Gas Co
5. Carl Doverspike #2-54A
6. Beautiful Lookout
7. Armstrong PA
8. 2.2 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24014/3222
2. 37-005-20961-0003
3. 108 000 000
4. Armclar Gas Co
5. Carl Doverspike #3-56A
6. Beautiful Lookout
7. Armstrong PA
8. 2.2 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24015/3223
2. 37-005-21249-0003
3. 108 000 000
4. Armclar Gas Co
5. R E Patrick #1-25
6. Hogback
7. Armstrong PA
8. 6.9 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24016/3224
2. 37-005-20011-R003
3. 108 000 000
4. Armclar Gas Co
5. R E Patrick #2-26
6. Hogback
7. Armstrong PA
8. 6.9 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24017/3225
2. 37-005-21262-0003
3. 108 000 000
4. Armclar Gas Co
5. R E Patrick #3-63A
6. Hogback
7. Armstrong PA
8. 6.9 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24018/3226
2. 37-005-00000-0000
3. 108 000 000
4. Armclar Gas Co
5. Frank Wadding #1-10
6. Distant
7. Armstrong PA
8. .7 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24019/3227
2. 37-005-21534-0003
3. 108 000 000
4. Armclar Gas Co
5. Frank Wadding #3-72A
6. Distant
7. Armstrong PA
8. .7 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24020/3228
2. 37-005-21449-0003
3. 108 000 000
4. Armclar Gas Co
5. A Caldwell #1-68A
6. Hogback
7. Armstrong PA
8. 5.1 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24021/3229
2. 37-005-21431-0003
3. 108 000 000
4. Armclar Gas Co
5. A Caldwell #2-69A
6. Hogback
7. Armstrong PA
8. 5.1 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24022/3232
2. 37-005-21847-0003
3. 108 000 000
4. Armclar Gas Co
5. Patterson #4-75A
6. Seminole
7. Armstrong PA
8. 4.6 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24023/3233
2. 37-005-20323-0003
3. 108 000 000
4. Armclar Gas Co
5. Giordani #1-27
6. Hogback
7. Armstrong PA
8. 3.3 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24024/3234
2. 37-005-20352-0003
3. 108 000 000
4. Armclar Gas Co
5. Giordani #2-28
6. Hogback
7. Armstrong PA
8. 3.3 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24025/3235
2. 37-005-21340-0003
3. 108 000 000
4. Armclar Gas Co
5. Kuhns #1-65A
6. Hogback
7. Armstrong PA
8. 2.2 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24026/3236
2. 37-005-21343-0003
3. 108 000 000
4. Armclar Gas Co
5. Kuhns #2-66A
6. Hogback
7. Armstrong PA
8. 2.2 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24027/3237
2. 37-005-00000-0000
3. 108 000 000
4. Armclar Gas Co
5. Ferkan Well 67A
6. Goheenville
7. Armstrong PA
8. 3.7 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24028/3331
2. 37-005-21653-R003
3. 108 000 000
4. Armclar Gas Co
5. Frank Shumaker #3-9
6. Seminole

7. Armstrong PA
8. 4.6 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24029/4029
2. 37-019-00000-0000
3. 108 000 000
4. Thomas A Bartoe
5. Cody #1
6. Venango Twp.
7. Butler PA
8. 3.0 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-24030/4030
2. 37-019-00000-0000
3. 108 000 000
4. Thomas A Bartoe
5. Cody #2
6. Venango Twp
7. Butler PA
8. 1.5 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-24031/4236
2. 37-003-22323-0003
3. 103 000 000
4. Adobe Oil & Gas Corp
5. William G Watt #1
6. Mcnees
7. Armstrong PA
8. 171.0 million cubic feet
9. April 2, 1980
10. T W Phillips Gas & Oil Co
1. 80-24032/4237
2. 37-003-20953-0003
3. 103 000 000
4. Adobe Oil & Gas Corp
5. Valley Heights #3
6. Renton
7. Allegheny PA
8. 32.0 million cubic feet
9. April 2, 1980
10. T W Phillips Gas & Oil Co
1. 80-24033/4238
2. 37-003-20954-0003
3. 103 000 000
4. Adobe Oil & Gas Corp
5. Valley Heights #2
6. Renton
7. Allegheny PA
8. .0 million cubic feet
9. April 2, 1980
10. T W Phillips Gas & Oil Co
1. 80-24034/4239
2. 37-129-21532-0003
3. 103 000 000
4. Adobe Oil & Gas Corp
5. Andy Kachonik #1
6. Dry Ridge
7. Westmoreland PA
8. 135.0 million cubic feet
9. April 2, 1980
10. T W Phillips Gas & Oil Co
1. 80-24035/4240
2. 37-065-21852-0003
3. 103 000 000
4. Adobe Oil & Gas Corp
5. Louis Emanuel #2
6. Rathmel
7. Jefferson PA
8. 85.0 million cubic feet
9. April 2, 1980
10. T W Phillips Gas & Oil Co
1. 80-24036/4241
2. 37-065-21854-0003
3. 103 000 000
4. Adobe Oil & Gas Corp
5. Dale Burkett #2
6. Sprinkle
7. Jefferson PA
8. 148.0 million cubic feet
9. April 2, 1980
10. T W Phillips Gas & Oil Co
1. 80-24037/4246
2. 37-063-25156-0003
3. 103 000 000
4. A A Lollar
5. Catalano #1
6. Rossiter
7. Indiana PA
8. 45.0 million cubic feet
9. April 2, 1980
10. Consolidated Gas Supply Corp
1. 80-24038/4247
2. 37-063-25108-0003
3. 103 000 000
4. Phillips Production Co
5. Ruth E Boggs et al #3
- 6.
7. Indiana PA
8. 30.0 million cubic feet
9. April 2, 1980
- 10.
1. 80-24039/4248
2. 37-063-25118-0003
3. 103 000 000
4. Phillips Production Co
5. Ruth E Boggs et al #6
- 6.
7. Indiana PA
8. 25.0 million cubic feet
9. April 2, 1980
- 10.
1. 80-24040/4249
2. 37-063-25117-0003
3. 103 000 000
4. Phillips Production Co
5. Ruth E Boggs et al #5
- 6.
7. Indiana PA
8. 30.0 million cubic feet
9. April 2, 1980
- 10.
1. 80-24041/4250
2. 37-005-22085-0003
3. 103 000 000
4. Armclar Gas Co
5. Alexander-Snyder #6-2A
6. Hogback
7. Armstrong PA
8. 12.8 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24042/4251
2. 37-005-22222-0003
3. 103 000 000
4. Armclar Gas Co
5. Patrick #4-83A
6. Hogback
7. Armstrong PA
8. 18.3 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24043/4254
2. 37-005-20607-0003
3. 108 000 000
4. Armclar Gas Co
5. Alexander-Snyder #3-35A
6. Hogback
7. Armstrong PA
8. 2.4 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24044/4255
2. 37-005-20624-0003
3. 108 000 000
4. Armclar Gas Co
5. Alexander-Snyder #4-36A
6. Hogback
7. Armstrong PA
8. 4.8 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24045/4256
2. 37-005-21079-0003
3. 108 000 000
4. Armclar Gas Co
5. Alexander-Snyder #5-61A
6. Hogback
7. Armstrong PA
8. 4.8 million cubic feet
9. April 2, 1980
10. Peoples Natural Gas Co
1. 80-24046/4260
2. 37-039-20565-0003
3. 103 000 000
4. Wainoco Oil & Gas Co
5. Leota A Himebaugh No 1 (W-6)
6. Athens
7. Crawford PA
8. 200.0 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-24047/4261
2. 37-039-20613-0003
3. 103 000 000
4. Wainoco Oil & Gas Co
5. Theodore S Bogardus No 4 (W-21)
6. Athens
7. Crawford PA
8. 10.0 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-24048/4262
2. 37-039-20614-0003
3. 103 000 000
4. Wainoco Oil & Gas Co
5. Theodore S Bogardus No 5 (W-27)
6. Athens
7. Crawford PA
8. 10.0 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-24049/4263
2. 37-039-20578-0003
3. 103 000 000
4. Wainoco Oil & Gas Co
5. Theodore S Bogardus No 1 (W-3)
6. Athens
7. Crawford PA
8. 140.0 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-24050/4264
2. 37-039-30592-0003
3. 103 000 000
4. Wainoco Oil & Gas Co
5. Walter Foltz No 1 (W-32)
6. Athens
7. Crawford PA
8. 40.0 million cubic feet
9. April 2, 1980
10. Columbia Gas Transmission Corp
1. 80-24051/4265

2. 37-039-20648-0003
 3. 103 000 000
 4. Wainoco Oil & Gas Co
 5. Geo & Maxwell Clark No 2 (W-36)
 6. Athens
 7. Crawford PA
 8. .0 million cubic feet
 9. April 2, 1980
 10. Columbia Gas Transmission Corp
 1. 80-24052/4266
 2. 37-039-20653-0003
 3. 103 000 000
 4. Wainoco Oil & Gas Co
 5. Theodore S Bogardus No 6 (W-38)
 6. Athens
 7. Crawford PA
 8. 55.0 million cubic feet
 9. April 2, 1980
 10. Columbia Gas Transmission Corp
 1. 80-24053/4277
 2. 37-039-20560-0003
 3. 103 000 000
 4. Wainoco Oil & Gas Co
 5. James & Helen Anderson No 1 (W-3)
 6. Athens
 7. Crawford PA
 8. 110.0 million cubic feet
 9. April 2, 1980
 10. Columbia Gas Transmission Corp
 1. 80-24054/4276
 2. 37-039-20559-0003
 3. 103 000 000
 4. Wainoco Oil & Gas Co
 5. Ernest C & Valerie Post No 1 (W-1)
 6. Athens
 7. Crawford PA
 8. 30.0 million cubic feet
 9. April 2, 1980
 10. Columbia Gas Transmission Corp
 1. 80-24055/4273
 2. 37-039-20581-0003
 3. 103 000 000
 4. Wainoco Oil & Gas Co
 5. Frank A & Helene S Boyd No 1 (W-15)
 6. Athens
 7. Crawford PA
 8. 24.0 million cubic feet
 9. April 2, 1980
 10. Columbia Gas Transmission Corp
 1. 80-24056/4272
 2. 37-039-20580-0003
 3. 103 000 000
 4. Wainoco Oil & Gas Co
 5. R Maxwell Clark & Geo Clark No 1 (W-)
 6. Athens
 7. Crawford PA
 8. 120.0 million cubic feet
 9. April 2, 1980
 10. Columbia Gas Transmission Corp
 1. 80-24057/4271
 2. 37-039-20612-0003
 3. 103 000 000
 4. Wainoco Oil & Gas Co
 5. Theodore S Bogardus No 2 (W-13)
 6. Athens
 7. Crawford PA
 8. 33.0 million cubic feet
 9. April 2, 1980
 10. Columbia Gas Transmission Corp
 1. 80-24058/4270
 2. 37-039-20575-0003
 3. 103 000 000
 4. Wainoco Oil & Gas Co
 5. Troy C Ehrhart No 1 (W-11)
 6. Athens

7. Crawford PA
 8. 100.0 million cubic feet
 9. April 2, 1980
 10. Columbia Gas Transmission Corp
 1. 80-24059/4269
 2. 37-039-20611-0003
 3. 103 000 000
 4. Wainoco Oil & Gas Co
 5. Theodore S Bogardus No 3 (W-18)
 6. Athens
 7. Crawford PA
 8. 123.0 million cubic feet
 9. April 2, 1980
 10. Columbia Gas Transmission Corp
 1. 80-24060/4268
 2. 37-039-20610-0003
 3. 103 000 000
 4. Wainoco Oil & Gas Co
 5. William D Bradley No 1 (W-17)
 6. Athens
 7. Crawford PA
 8. 45.0 million cubic feet
 9. April 2, 1980
 10. Columbia Gas Transmission Corp
 1. 80-24061/4267
 2. 37-039-20656-0003
 3. 103 000 000
 4. Wainoco Oil & Gas Co
 5. James K & Helen Anderson No 3 (W-39)
 6. Athens
 7. Crawford PA
 8. 30.0 million cubic feet
 9. April 2, 1980
 10. Columbia Gas Transmission Corp
 1. 80-13987/3658 (revised)
 2. 37-033-20533-0000
 3. 103 *Denied*
 4. J & J Enterprises Inc
 5. Blair S Beatty #1 CLE-533
 6. Burnside
 7. Clearfield PA
 8. 20.0 million cubic feet
 9. February 4, 1980
 10. Consolidated Gas Supply Corp

Texas Railroad Commission, Oil and Gas Division

1. Control number (FERC/State)
 2. API well number
 3. Section of NGPA
 4. Operator
 5. Well name
 6. Field or OCS area name
 7. County, State or block No.
 8. Estimated annual volume
 9. Date received at FERC
 10. Purchaser(s)
 1. 80-23664/07177
 2. 42-483-00000-0000
 3. 108 000 000
 4. Kenneth M Axelrod
 5. Boviard-Linkey No 1 35618
 6. Panhandle East
 7. Wheeler TX
 8. 1.0 million cubic feet
 9. March 31, 1980
 10. Phillips Petroleum Co

West Virginia Department of Mines, Oil and Gas Division

1. Control number (FERC/State)
 2. API well number
 3. Section of NGPA
 4. Operator
 5. Well name

6. Field or OCS area name
 7. County, State or block No.
 8. Estimated annual volume
 9. Date received at FERC
 10. Purchaser(s)
 1. 80-23665
 2. 47-017-01729-0000
 3. 108 000 000
 4. Ramco Oil & Gas Corp
 5. Abe Talkington #3
 6. Big Injun
 7. Doddridge WV
 8. 2.0 million cubic feet
 9. April 1, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23666
 2. 47-017-01744-0000
 3. 108 000 000
 4. Ramco Oil & Gas Corp
 5. T B Harbert #2
 6. Big Injun
 7. Doddridge WV
 8. 4.5 million cubic feet
 9. April 1, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23667
 2. 47-017-01743-0000
 3. 108 000 000
 4. Ramco Oil & Gas Corp
 5. T B Harbert #1
 6. Big Injun
 7. Doddridge WV
 8. 1.5 million cubic feet
 9. April 1, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23668
 2. 47-017-01730-0000
 3. 108 000 000
 4. Ramco Oil & Gas Corp
 5. H B Davis #1
 6. Big Injun
 7. Doddridge WV
 8. 10.0 million cubic feet
 9. April 1, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23669
 2. 47-017-01751-0000
 3. 108 000 000
 4. Ramco Oil & Gas Corp
 5. F A Smith #1
 6. Big Injun
 7. Doddridge WV
 8. 5.0 million cubic feet
 9. April 1, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23670
 2. 47-017-01752-0000
 3. 108 000 000
 4. Ramco Oil & Gas Corp
 5. E Seckman #2
 6. Big Injun
 7. Doddridge WV
 8. 12.0 million cubic feet
 9. April 1, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23671
 2. 47-017-01756-0000
 3. 108 000 000
 4. Ramco Oil & Gas Corp
 5. Clarence Powell #1
 6. Big Injun
 7. Doddridge WV
 8. 11.0 million cubic feet
 9. April 1, 1980
 10. Columbia Gas Transmission Corp

1. 80-23672
2. 47-017-01759-0000
3. 108 000 000
4. Ramco Oil & Gas Corp
5. Sam Sadler #1
6. Big Injun
7. Doddridge WV
8. 10.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23673
2. 47-017-01764-0000
3. 108 000 000
4. Ramco Oil & Gas Corp
5. Sam Sadler #2
6. Big Injun
7. Doddridge WV
8. 10.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23674
2. 47-017-01794-0000
3. 108 000 000
4. Ramco Oil & Gas Corp
5. J F Randolph #1
6. Big Injun
7. Doddridge WV
8. 12.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23675
2. 47-017-01995-0000
3. 108 000 000
4. Ramco Oil & Gas Corp
5. J F Randolph #2
6. Big Injun
7. Doddridge WV
8. 12.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23676
2. 47-033-00646-0000
3. 108 000 000
4. Ramco Oil & Gas Corp
5. Harley Bennett #1
6. Balltown/Speechley
7. Harrison WV
8. 3.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23677
2. 47-059-00841-0000
3. 108 000 000
4. Ramco Oil & Gas Corp
5. U S Steel #1
6. U S Steel
7. Mingo WV
8. 10.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23678
2. 47-059-00873-0000
3. 103 000 000
4. Ramco Oil & Gas Corp
5. U S Steel #11
6. U S Steel
7. Mingo WV
8. 150.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corporation

1. 80-23679
2. 47-059-00869-0000
3. 103 000 000
4. Ramco Oil & Gas Corp
5. U S Steel #10

6. U S Steel
7. Mingo WV
8. 52.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corporation

1. 80-23680
2. 47-059-00874-0000
3. 103 000 000
4. Ramco Oil & Gas Corp
5. U S Steel #12
6. U S Steel
7. Mingo WV
8. 70.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corporation

1. 80-23681
2. 47-059-00883-0000
3. 103 000 000
4. Ramco Oil & Gas Corp
5. U S Steel #14
6. U S Steel
7. Mingo WV
8. 48.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corporation

1. 80-23682
2. 47-059-00886-0000
3. 103 000 000
4. Ramco Oil & Gas Corp
5. U S Steel #17
6. U S Steel
7. Mingo WV
8. 24.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corporation

1. 80-23683
2. 47-059-00875-0000
3. 103 000 000
4. Ramco Oil & Gas Corp
5. U S Steel #13
6. U S Steel
7. Mingo WV
8. 220.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corporation

1. 80-23684
2. 47-059-00910-0000
3. 103 000 000
4. Ramco Oil & Gas Corp
5. U S Steel #18
6. U S Steel
7. Mingo WV
8. 60.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corporation

1. 80-23685
2. 47-017-01711-0000
3. 108 000 000
4. Ramco Oil & Gas Corp
5. Samuel Tate #3
6. Big Injun
7. Doddridge WV
8. 8.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23686
2. 47-017-01713-0000
3. 108 000 000
4. Ramco Oil & Gas Corp
5. J J Downs #1
6. Big Injun
7. Doddridge WV
8. 3.5 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23687
2. 47-017-01714-0000
3. 108 000 000
4. Ramco Oil & Gas Corp
5. J J Downs #2
6. Big Injun
7. Doddridge WV
8. 11.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23688
2. 47-017-01716-0000
3. 108 000 000
4. Ramco Oil & Gas Corp
5. R Robinson #1
6. Big Injun
7. Doddridge WV
8. 3.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23689
2. 47-017-01718-0000
3. 108 000 000
4. Ramco Oil & Gas Corp
5. George Swiger #1
6. Big Injun
7. Doddridge WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23690
2. 47-017-01725-0000
3. 108 000 000
4. Ramco Oil & Gas Corp
5. J R Boyce #3
6. Big Injun
7. Doddridge WV
8. 11.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23691
2. 47-017-01726-0000
3. 108 000 000
4. Ramco Oil & Gas Corp
5. M A Clines #1
6. Big Injun
7. Doddridge WV
8. 12.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23692
2. 47-017-01727-0000
3. 108 000 000
4. Ramco Oil & Gas Corp
5. H A Clines #2
6. Big Injun
7. Doddridge WV
8. 12.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23693
2. 47-067-00294-0000
3. 108 000 000
4. Ramco Oil & Gas Corp
5. Elk River Coal & Lumber #7
6. Elk River Coal & Lumber/Lilly
7. Nicholas WV
8. 5.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Company

1. 80-23694
2. 47-083-20243-0000
3. 102 000 000
4. Seneca-Upshur Petroleum Inc
5. F A Daetwyler #3

6. Middle fork
7. Randolph WV
8. 108.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Company

1. 80-23695
2. 47-013-01210-0000
3. 108 000 000
4. Gulf Oil Corporation
5. Bland #2
6. Henrietta De Calb
7. Calhoun WV
8. 7.3 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23696
2. 47-013-01251-0000
3. 108 000 000
4. Gulf Oil Corporation
5. Kelly Heirs #1
6. Henrietta De Calb
7. Calhoun WV
8. 1.8 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23697
2. 47-013-01486-0000
3. 108 000 000
4. Gulf Oil Corporation
5. D A Ruley #3
6. Henrietta De Calb
7. Calhoun WV
8. .9 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Co

1. 80-23698
2. 47-013-01281-0000
3. 108 000 000
4. Gulf Oil Corporation
5. Kelly Heirs #2
6. Henrietta De Calb
7. Calhoun WV
8. 1.8 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23699
2. 47-013-01552-0000
3. 108 000 000
4. Gulf Oil Corporation
5. D A Ruley #4
6. Henrietta De Calb
7. Calhoun WV
8. .9 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Co

1. 80-23700
2. 47-013-02013-0000
3. 108 000 000
4. Gulf Oil Corporation
5. Cunningham #5
6. Sycamore Millstone
7. Calhoun WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23701
2. 47-013-02078-0000
3. 108 000 000
4. Gulf Oil Corporation
5. Garrett Arnold #1
6. Sycamore Millstone
7. Calhoun WV
8. 1.8 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23702
2. 47-013-02038-0000
3. 108 000 000
4. Gulf Oil Corporation
5. Davis C #1
6. Glenville West
7. Gilmer WV
8. 11.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23703
2. 47-013-02094-0000
3. 108 000 000
4. Gulf Oil Corporation
5. Garrett Arnold #2
6. Sycamore Millstone
7. Calhoun WV
8. 1.8 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23704
2. 47-013-02129-0000
3. 108 000 000
4. Gulf Oil Corporation
5. Cunningham #6
6. Sycamore Millstone
7. Calhoun WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23705
2. 47-013-02196-0000
3. 108 000 000
4. Gulf Oil Corporation
5. Cunningham #12
6. Sycamore Millstone
7. Calhoun WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23706
2. 47-013-02195-0000
3. 108 000 000
4. Gulf Oil Corporation
5. Cunningham #11
6. Sycamore Millstone
7. Calhoun WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23707
2. 47-039-03010-0000
3. 108 000 000
4. Columbia Gas Transmission Corp
5. J W Ramsey 801161

- 6.
7. Kanawha WV
8. 1.7 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23708
2. 47-013-02194-0000
3. 108 000 000
4. Gulf Oil Corp
5. Cunningham #10
6. Sycamore Millstone
7. Calhoun WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23709
2. 47-013-02155-0000
3. 108 000 000
4. Gulf Oil Corp
5. Cunningham #9

6. Sycamore Millstone
7. Calhoun WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23710
2. 47-013-02142-0000
3. 108 000 000
4. Gulf Oil Corp
5. Cunningham #8
6. Sycamore Millstone
7. Calhoun WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23711
2. 47-013-02197-0000
3. 108 000 000
4. Gulf Oil Corp
5. Cunningham #13
6. Sycamore Millstone
7. Calhoun WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23712
2. 47-021-00164-0000
3. 108 000 000
4. Gulf Oil Corp
5. Gainer Heirs #8
6. Henrietta De Calb
7. Gilmer WV
8. 1.8 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23713
2. 47-021-00680-0000
3. 108 000 000
4. Gulf Oil Corp
5. Duffield #2
6. Stumptown Norman
7. Gilmer WV
8. 3.7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23714
2. 47-013-00546-0000
3. 108-000-000
4. Bowser Gas & Oil Co
5. B B Belford #3

- 6.
7. Calhoun WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp, Pennzoil Co, Cabot Corp

1. 80-23715
2. 47-013-05430-0000
3. 108-000-000
4. Bowser Gas & Oil Co
5. B B Belford #2
- 6.
7. Calhoun WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp, Pennzoil Co, Cabot Corp

1. 80-23716
2. 47-085-02880-0000
3. 108-000-000
4. Haught-Wright Oil & Gas
5. Haught-Wright #1
6. Smithville
7. Ritchie WV
8. 7.5 million cubic feet

9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23717
 2. 47-085-03217-0000
 3. 108-000-000
 4. Furbee Oil & Gas Co
 5. Furbee #1
 6. Smithville
 7. Ritchie-Calhoun WV
 8. 3.0 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23718
 2. 47-013-01969-0000
 3. 108-000-000
 4. Bowser Gas & Oil Co
 5. W G Richards #1
 - 6.
 7. Calhoun WV
 8. 4.6 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp, Pennzoil Co, Cabot Corp
 1. 80-23719
 2. 47-013-02320-0000
 3. 108-000-000
 4. Bowser Gas & Oil Co
 5. Minnie Cunningham #1
 - 6.
 7. Calhoun WV
 8. 1.5 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp, Pennzoil Co, Cabot Corp
 1. 80-23720
 2. 47-085-00052-0000
 3. 108-000-000
 4. Bowser Gas & Oil Co
 5. Guy Fluharty #1
 - 6.
 7. Ritchie WV
 8. 1.2 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp, Pennzoil Co, Cabot Corp
 1. 80-23721
 2. 47-085-01906-0000
 3. 108-000-000
 4. Bowser Gas & Oil Co
 5. Guy Fluharty #3
 - 6.
 7. Ritchie WV
 8. .8 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp, Pennzoil Co, Cabot Corp
 1. 80-23722
 2. 47-085-01974-0000
 3. 108-000-000
 4. Bowser Gas & Oil Co
 5. Prunty Heirs #1
 - 6.
 7. Ritchie WV
 8. .2 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp, Pennzoil Co, Cabot Corp
 1. 80-23723
 2. 47-085-03177-0000
 3. 108-000-000
 4. H & B Gas Co
 5. H & B #1
 6. Smithville
 7. Ritchie WV
 8. 4.2 million cubic feet
9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23724
 2. 47-013-01157-0000
 3. 108-000-000
 4. Gulf Oil Corp
 5. D A Ruley #1
 6. Henrietta De Calb
 7. Calhoun WV
 8. .9 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23725
 2. 47-059-00865-0000
 3. 103-000-000
 4. Ramco Oil & Gas Corp
 5. U S Steel #9
 6. U S Steel
 7. Mingo WV
 8. 48.0 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23726
 2. 47-017-01789-0000
 3. 108-000-000
 4. Ramco Oil & Gas Corp
 5. T S Chipps #1
 6. Big Injun
 7. Doddridge WV
 8. .3 million cubic feet
 9. April 1, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23727
 2. 47-021-03409-0000
 3. 103-000-000
 4. NRM Petroleum Corp
 5. M Stump #1
 6. Glenville
 7. Gilmer WV
 8. .0 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23728
 2. 47-041-02522-0000
 3. 103-000-000
 4. NRM Petroleum Corp
 5. E Stalnaker #1
 6. Skin Creek
 7. Lewis WV
 8. .0 million cubic feet
 9. April 1, 1980
 10. Equitable Gas Co
 1. 80-23729
 2. 47-041-02523-0000
 3. 103-000-000
 4. NRM Petroleum Corp
 5. B Stalnaker #1
 6. Skin Creek
 7. Lewis WV
 8. .0 million cubic feet
 9. April 1, 1980
 10. Equitable Gas Co
 1. 80-23730
 2. 47-041-02553-0000
 3. 103-000-000
 4. NRM Petroleum Corp
 5. Augenlough #1
 6. Hackers Creek
 7. Lewis WV
 8. .0 million cubic feet
 9. April 1, 1980
 10. Equitable Gas Co
 1. 80-23731
 2. 47-021-03411-0000
3. 103-000-000
 4. NRM Petroleum Corp
 5. G T Bush #1
 6. Stewart Creek
 7. Gilmer WV
 8. .0 million cubic feet
 9. April 1, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23732
 2. 47-097-01808-0000
 3. 103-000-000
 4. NRM Petroleum Corp
 5. R. Allman #1
 6. French Creek
 7. Upshur WV
 8. .0 million cubic feet
 9. April 1, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23733
 2. 47-097-01809-0000
 3. 103-000-000
 4. NRM Petroleum Corp
 5. Hyre #1
 6. Middle Fork River
 7. Upshur WV
 8. .0 million cubic feet
 9. April 1, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23734
 2. 47-097-01810-0000
 3. 103-000-000
 4. NRM Petroleum Corp
 5. C McCue #1
 6. French Creek
 7. Upshur WV
 8. .0 million cubic feet
 9. April 1, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23735
 2. 47-013-00727-0000
 3. 108-000-000
 4. Gulf Oil Corp
 5. Cunningham #3
 6. Sycamore Millstone
 7. Calhoun WV
 8. 1.0 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23736
 2. 47-013-00728-0000
 3. 108-000-000
 4. Gulf Oil Corp
 5. Cunningham #4
 6. Sycamore Millstone
 7. Calhoun WV
 8. 1.0 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23737
 2. 47-085-00638-0000
 3. 108-000-000
 4. Bowser Gas & Oil Co
 5. Roxie B Evans #1
 - 6.
 7. Ritchie WV
 8. 1.5 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp, Pennzoil Co, Cabot Corp
 1. 80-23738
 2. 47-085-01936-0000
 3. 108-000-000
 4. Bowser Gas & Oil Co
 5. Roxie B Evans #2
 - 6.

7. Ritchie WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp, Pennzoil Co, Cabot Corp

1. 80-23739
2. 47-013-01555-0000
3. 108 000 000
4. Francis E Cain
5. Leonard Cain #1
6. Sheridan
7. Calhoun WV
8. 4.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23740
2. 47-013-01668-0000
3. 108 000 000
4. Francis E Cain
5. Grover Starcher #1
6. Lee
7. Calhoun WV
8. 3.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23741
2. 47-013-01979-0000
3. 108 000 000
4. Francis E Cain
5. Grover Starcher #2
6. Lee
7. Calhoun WV
8. 3.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23742
2. 47-013-02003-0000
3. 108 000 000
4. Francis E Cain
5. S B Maze Heirs #1
6. Sheridan
7. Calhoun WV
8. 3.7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23743
2. 47-013-02016-0000
3. 108 000 000
4. Francis E Cain
5. S B Maze Heirs #2
6. Sheridan
7. Calhoun WV
8. 3.7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23744
2. 47-013-02077-0000
3. 108 000 000
4. Francis E Cain
5. S B Maze Heirs #3
6. Sheridan
7. Calhoun WV
8. 3.6 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23745
2. 47-013-02312-0000
3. 108 000 000
4. Francis E Cain
5. S B Maze Heirs #4
6. Sheridan
7. Calhoun WV
8. 2.2 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23746
2. 47-021-02061-0000
3. 108 000 000
4. Syndex of WV
5. Bonnie Cottrill #1
6.
7. Gilmer WV
8. 20.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23747
2. 47-013-00579-0000
3. 108 000 000
4. Gulf Oil Corp
5. Smith D #1
6. Henrietta De Calb
7. Calhoun WV
8. 1.8 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23748
2. 47-013-00634-0000
3. 108 000 000
4. Gulf Oil Corp
5. Smith D #2
6. Henrietta De Calb
7. Calhoun WV
8. 1.8 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23749
2. 47-013-00670-0000
3. 108 000 000
4. Gulf Oil Corp
5. Wigner Gainer #3
6. Henrietta De Calb
7. Calhoun WV
8. 3.7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23750
2. 47-013-00707-0000
3. 108 000 000
4. Gulf Oil Corp
5. Cunningham #2
6. Sycamore Millstone
7. Calhoun WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23751
2. 47-021-02240-0000
3. 108 000 000
4. Syndex of WV
5. Bonnie Cottrill #4
6.
7. Gilmer WV
8. 12.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Co

1. 80-23752
2. 47-021-02249-0000
3. 108 000 000
4. Syndex of WV
5. R E Garrett #2
6.
7. Gilmer WV
8. 15.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Co

1. 80-23753
2. 47-021-02302-0000
3. 108 000 000
4. Syndex of WV
5. Mary Bennett #2

6.
7. Gilmer WV
8. 5.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23754
2. 47-021-02612-0000
3. 108 000 000
4. Syndex of WV
5. Bonnie Cottrill #5
6.
7. Gilmer WV
8. 12.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Co

1. 80-23755
2. 47-001-00021-0000
3. 108 000 000
4. Gulf Oil Corp
5. Paugh #1
6. Elk Creek
7. Barbour WV
8. 3.7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23756
2. 47-001-00052-0000
3. 108 000 000
4. Gulf Oil Corp
5. Pickens-Davidson #1
6. Elk Creek
7. Barbour WV
8. 1.8 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23757
2. 47-001-00061-0000
3. 108 000 000
4. Gulf Oil Corp
5. Pickens-Davidson #2
6. Elk Creek
7. Barbour WV
8. 1.8 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23758
2. 47-001-00066-0000
3. 108 000 000
4. Gulf Oil Corp
5. Pickens-Davidson #3
6. Elk Creek
7. Barbour WV
8. 1.8 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23759
2. 47-001-00074-0000
3. 108 000 000
4. Gulf Oil Corp
5. Pickens-Davidson #4
6. Elk Creek
7. Barbour WV
8. 1.8 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23760
2. 47-013-00522-0000
3. 108 000 000
4. Gulf Oil Corp
5. Wigner Gainer #2
6. Henrietta De Calb
7. Gilmer WV
8. 3.7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23761
2. 47-021-02089-0000
3. 108 000 000
4. Syndex of WV
5. Bonnie Cottrill #2
6.
7. Gilmer WV
8. 20.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23762
2. 47-021-01043-0000
3. 108 000 000
4. Syndex of WV
5. Harvey Bennett #1
6.
7. Gilmer WV
8. 5.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23763
2. 47-021-02044-0000
3. 108 000 000
4. Syndex of WV
5. Dana Beeson #1
6.
7. Gilmer WV
8. 15.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23764
2. 47-021-02088-0000
3. 108 000 000
4. Syndex of WV
5. Dana Beeson #2
6.
7. Gilmer WV
8. 15.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23765
2. 47-013-02175-0000
3. 108 000 000
4. Dye Oil & Gas Co
5. Dye #2
6. Smithville
7. Ritchie and Calhoun WV
8. 1.5 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23766
2. 47-021-02239-0000
3. 108 000 000
4. Syndex of WV
5. R E Garrett #1
6.
7. Gilmer WV
8. 15.0 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23767
2. 47-097-01846-0000
3. 103 000 000
4. NRM Petroleum Corp
5. L L Moss #7
6. Middle Fork River
7. Upshur WV
8. .0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp
1. 80-23768
2. 47-097-01850-0000
3. 103 000 000
4. NRM Petroleum Corp
5. L L Moss #6

6. Middle Fork River
7. Upshur WV
8. .0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp
1. 80-23769
2. 47-097-01863-0000
3. 103 000 000
4. NRM Petroleum Corp
5. L L Moss #9
6. Middle Fork River
7. Upshur WV
8. .0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp
1. 80-23770
2. 47-097-01864-0000
3. 103 000 000
4. NRM Petroleum Corp
5. L L Moss #8
6. Middle Fork River
7. Upshur WV
8. .0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp
1. 80-23771
2. 47-097-01879-0000
3. 103 000 000
4. NRM Petroleum Corp
5. R Smalridge #1
6. Meade
7. Upshur WV
8. .0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp
1. 80-23772
2. 47-013-02240-0000
3. 108 000 000
4. Wolverton Oil & Gas Co
5. Wolverton #2
6. Smithville
7. Ritchie-Calhoun WV
8. 4.5 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23773
2. 47-041-00937-0000
3. 108 000 000
4. Sleeth Oil & Gas Co
5. Sleeth #3
6. Freemansburg
7. Lewis WV
8. .0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23774
2. 47-085-01621-0000
3. 108 000 000
4. Parker Oil & Gas Co
5. Parker #1
6. Smithville
7. Ritchie WV
8. 1.2 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23775
2. 47-041-01245-0000
3. 108 000 000
4. Gulf Oil Corp
5. Osborne Heirs #1
6. Vadis
7. Lewis WV
8. 2.7 million cubic feet
9. April 1, 1980
10. Equitable Gas Co

1. 80-23776
2. 47-041-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Fahey #4
6. Vadis
7. Lewis WV
8. 2.9 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23777
2. 47-041-01237-0000
3. 108 000 000
4. Gulf Oil Corp
5. Griggs and Alfred #10
6. Vadis
7. Lewis WV
8. .6 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23778
2. 47-041-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Keesucker #4
6. Vadis
7. Lewis WV
8. 2.7 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23779
2. 47-041-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Griggs and Alfred #2A
6. Vadis
7. Lewis WV
8. .6 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23780
2. 47-041-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Griggs & Alfred #8
6. Vadis
7. Lewis WV
8. .6 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23781
2. 47-041-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Griggs & Alfred #9
6. Vadis
7. Lewis WV
8. .6 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23782
2. 47-041-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Griggs & Alfred #7
6. Vadis
7. Lewis WV
8. .6 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23783
2. 47-041-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Griggs & Alfred #6

6. Vadis
7. Lewis WV
8. .6 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23784
2. 47-041-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Keesucker #3
6. Vadis
7. Lewis WV
8. 2.7 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23785
2. 47-041-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Keesucker #2
6. Vadis
7. Lewis 1 WV
8. 2.7 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23786
2. 47-041-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Garrett A #4
6. Vadis
7. Lewis WV
8. 2.7 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23787
2. 47-041-01240-0000
3. 108 000 000
4. Gulf Oil Corp
5. Griggs & Alfred #11
6. Vadis
7. Lewis WV
8. .6 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23788
2. 47-041-01313-0000
3. 108 000 000
4. Gulf Oil Corp
5. Osborne Heirs #3
6. Vadis
7. Lewis WV
8. 2.7 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23789
2. 47-041-01248-0000
3. 108 000 000
4. Gulf Oil Corp
5. Fahey #5
6. Vadis
7. Lewis WV
8. 2.9 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23790
2. 47-085-02657-0000
3. 108 000 000
4. Gulf Oil Corp
5. Fleming #1
6. Green Lawford H
7. Ritchie WV
8. 3.7 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23791
2. 47-085-00632-0000
3. 108 000 000
4. Gulf Oil Corp
5. Brissey #2
6. Green Lawford H
7. Ritchie WV
8. .4 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23792
2. 47-085-00420-0000
3. 108 000 000
4. Gulf Oil Corp
5. Fleming #2
6. Green Lawford H
7. Ritchie WV
8. 3.7 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23793
2. 47-041-01983-0000
3. 108 000 000
4. Gulf Oil Corp
5. Osborne Heirs #5
6. Vadis
7. Lewis WV
8. 2.7 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23794
2. 47-041-01952-0000
3. 108 000 000
4. Gulf Oil Corp
5. Griggs & Alfred #13
6. Vadis
7. Lewis WV
8. .8 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23795
2. 47-041-01471-0000
3. 108 000 000
4. Gulf Oil Corp
5. Debueller #5
6. Vadis
7. Lewis WV
8. 2.7 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23796
2. 47-041-01350-0000
3. 108 000 000
4. Gulf Oil Corp
5. Debueller #4
6. Vadis
7. Lewis WV
8. 2.7 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23797
2. 47-041-01326-0000
3. 108 000 000
4. Gulf Oil Corp
5. Griggs & Alfred #12
6. Vadis
7. Lewis WV
8. .6 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23798
2. 47-021-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Means #2
6. Vadis
7. Gilmer WV
8. .4 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23799
2. 47-021-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Reaser #1
6. Revel
7. Gilmer WV
8. 1.8 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23800
2. 47-021-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Maxwell B #7
6. Vadis
7. Gilmer WV
8. 2.7 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23801
2. 47-021-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Bush #1
6. Vadis-Injun
7. Gilmer WV
8. 1.1 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23802
2. 47-041-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Griggs & Alfred #1
6. Vadis
7. Lewis WV
8. .6 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23803
2. 47-041-00052-0000
3. 108 000 000
4. Gulf Oil Corp
5. Griggs and Alfred #3
6. Vadis
7. Lewis WV
8. .6 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23804
2. 47-041-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Fahey #1
6. Vadis
7. Lewis WV
8. 2.9 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23805
2. 47-041-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Fahey #2
6. Vadis
7. Lewis WV
8. 2.9 million cubic feet
9. April 1, 1980
10. Equitable Gas Co

1. 80-23806
 2. 47-041-00000-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Fahey #3
 6. Vadis
 7. Lewis WV
 8. 2.9 million cubic feet
 9. April 1, 1980
 10. Equitable Gas Co
-
1. 80-23807
 2. 47-041-00000-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Davis B #1
 6. Vadis
 7. Lewis WV
 8. 2.7 million cubic feet
 9. April 1, 1980
 10. Equitable Gas Co
-
1. 80-23808
 2. 47-041-00000-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Davis B #2
 6. Vadis
 7. Lewis WV
 8. 2.7 million cubic feet
 9. April 1, 1980
 10. Equitable Gas Co
-
1. 80-23809
 2. 47-041-00000-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Davis B #3
 6. Vadis
 7. Lewis WV
 8. 2.7 million cubic feet
 9. April 1, 1980
 10. Equitable Gas Co
-
1. 80-23810
 2. 47-041-00563-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Debeuller #1
 6. Vadis
 7. Lewis WV
 8. 2.7 million cubic feet
 9. April 1, 1980
 10. Equitable Gas Co
-
1. 80-23811
 2. 47-041-00000-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Debeuller #2
 6. Vadis
 7. Lewis WV
 8. 2.7 million cubic feet
 9. April 1, 1980
 10. Equitable Gas Co
-
1. 80-23812
 2. 47-041-00000-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Osborne Heirs #1
 6. Vadis
 7. Lewis WV
 8. 2.7 million cubic feet
 9. April 1, 1980
 10. Equitable Gas Co
-
1. 80-23813
 2. 47-041-00000-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Osborne Heirs #2
 6. Vadis
 7. Lewis WV
 8. 2.7 million cubic feet
 9. April 1, 1980
 10. Equitable Gas Co
-
1. 80-23814
 2. 47-041-00989-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Garrett A #2
 6. Vadis
 7. Lewis WV
 8. 2.7 million cubic feet
 9. April 1, 1980
 10. Equitable Gas Co
-
1. 80-23815
 2. 47-041-00000-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Griggs and Alfred #4
 6. Vadis
 7. Lewis WV
 8. .6 million cubic feet
 9. April 1, 1980
 10. Equitable Gas Co
-
1. 80-23816
 2. 47-041-00000-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Garrett A #3
 6. Vadis
 7. Lewis WV
 8. 2.7 million cubic feet
 9. April 1, 1980
 10. Equitable Gas Co
-
1. 80-23817
 2. 47-041-00000-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Griggs and Alfred #5
 6. Vadis
 7. Lewis WV
 8. .6 million cubic feet
 9. April 1, 1980
 10. Equitable Gas Co
-
1. 80-23818
 2. 47-041-01075-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Keesucker #1
 6. Vadis
 7. Lewis WV
 8. 2.7 million cubic feet
 9. April 1, 1980
 10. Equitable Gas Co
-
1. 80-23819
 2. 47-021-02063-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Rymer #1
 6. Glenville West Weir
 7. Gilmer WV
 8. 3.7 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
-
1. 80-23820
 2. 47-021-02082-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Pritt #1
 6. Glenville West
 7. Gilmer WV
 8. .7 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
-
1. 80-23821
 2. 47-021-02063-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Ralston A #1
 6. Glenville West
 7. Gilmer WV
 8. 3.7 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
-
1. 80-23822
 2. 47-021-00000-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Kub A #1
 6. Glenville West Weir
 7. Gilmer WV
 8. 4.9 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
-
1. 80-23823
 2. 47-021-00000-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Kub A #3
 6. Glenville West Weir
 7. Gilmer WV
 8. 4.9 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
-
1. 80-23824
 2. 47-021-00000-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Bailey A #2
 6. Glenville West Weir
 7. Gilmer WV
 8. 3.7 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
-
1. 80-23825
 2. 47-041-00000-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Marsh #1
 6. Vandalia
 7. Lewis WV
 8. 3.7 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
-
1. 80-23826
 2. 47-041-01314-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Marsh B #1
 6. Vandalia
 7. Lewis WV
 8. 3.7 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
-
1. 80-23827
 2. 47-085-00000-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Stout A #1
 6. Spruce Creek
 7. Ritchie WV
 8. 3.7 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
-
1. 80-23828
 2. 47-085-00000-0000
 3. 108 000 000
 4. Gulf Oil Corp
 5. Smith C #1

6. Spruce Creek
7. Ritchie WV
8. 3.7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23829
2. 47-085-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. W H Goff #1
6. Burnt House Lucern
7. Ritchie WV
8. 1. million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23830
2. 47-085-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. W H Goff #2
6. Burnt House Lucern
7. Ritchie WV
8. 1.2 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23831
2. 47-085-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. W H Goff #3
6. Burnt House Lucern
7. Ritchie WV
8. 1.2 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23832
2. 47-085-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Woofter #1
6. Troy District-Injun
7. Gilmer WV
8. 3.7 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission

1. 80-23833
2. 47-085-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Means #1
6. Vadis
7. Gilmer WV
8. 4 million cubic feet
9. April 1, 1980
10. Equitable Gas Co

1. 80-23834
2. 47-107-00558-0000
3. 108 000 000
4. B & L Oil Co
5. J S Spencer #1 Woo 558 29A
6. Vienna WV
7. Williams District WO WV
8. 2.3 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23835
2. 47-107-00582-0000
3. 108 000 000
4. B & L Oil Co
5. Modessitt No 3 WO 582 55A
6. Vienna WV
7. Williams District WO WV
8. 3.1 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23836
2. 47-085-03041-0000
3. 108 000 000
4. B & L Oil Co
5. B R Weekley #1 Rit 3041 109A
6. Upper Cabin Run
7. Ritchie County Grant WV
8. .7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23837
2. 47-085-03066-0000
3. 108 000 000
4. B & L Oil Co
5. B R Weekley 2 Rit 3066 109A
6. Upper Cabin Run
7. Ritchie County Grant WV
8. .7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23838
2. 47-085-03075-0000
3. 108 000 000
4. B & L Oil Co
5. B R Weekley 3 Rit 3075 109A
6. Upper Cabin Run
7. Ritchie County Grant WV
8. .7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23839
2. 47-085-03092-0000
3. 108 000 000
4. B & L Oil Co
5. Earl D Rinehart #2 Rit 3092 800A
6. Cabin Run
7. Ritchie County Grant WV
8. .5 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23840
2. 47-085-03093-0000
3. 108 000 000
4. B & L Oil Co
5. B R Weekley 4B Rit 3093 200A
6. Upper Cabin Run
7. Ritchie County Grant WV
8. .7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23841
2. 47-085-03121-0000
3. 108 000 000
4. B & L Oil Co
5. C Williamson Rit 3121 62A
6. Indian Creek
7. Ritchie County Murph WV
8. 1.2 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23842
2. 47-085-03310-0000
3. 108 000 000
4. B & L Oil Co
5. J E Wellings #2 Rit 3310 280A
6. Back Run
7. Union District Ritch WV
8. 4.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23843
2. 47-085-03328-0000
3. 108 000 000
4. B & L Oil Co
5. J E Wellings #2 Rit 3328 280A

6. Back Run
7. Union District Ritch WV
8. 4.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23844
2. 47-085-03334-0000
3. 108 000 000
4. B & L Oil Co
5. J E Wellings #3 Rit 3334 280A
6. Back Run
7. Union District Ritch WV
8. 4.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23845
2. 47-085-03338-0000
3. 108 000 000
4. B & L Oil Co
5. J E Wellings #4 Rit 3338 280A
6. Back Run
7. Union District Ritch WV
8. 4.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23846
2. 47-085-03344-0000
3. 108 000 000
4. B & L Oil Company
5. J E Wellings #6 3344 280A
6. Back Run
7. Union District Ritch WV
8. 4.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23847
2. 47-085-03345-0000
3. 108 000 000
4. B & L Oil Company
5. J E Wellings #7 3345 280A
6. Back Run
7. Union District Ritch WV
8. 4.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23848
2. 47-079-00956-0000
3. 108 000 000
4. Midway City Gas Co
5. Switzer #2
6. Bridge Creek
7. Putnam WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23849
2. 47-041-00244-0000
3. 108 000 000
4. Garvin Ross Wharton
5. Shoulders No 1
6. Vandalia
7. Lewis WV
8. 5.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23850
2. 47-099-00213-0000
3. 108 000 000
4. Midway City Gas Co
5. Brewer #7
6. Marrabone
7. Wayne Lincoln Dist WV
8. .0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23851
2. 47-099-00158-0000
3. 108 000 000
4. Midway City Gas Co
5. Copley Heirs
6. Lincoln
7. Wayne WV
8. 18.7 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23852
2. 47-099-00102-0000
3. 108 000 000
4. Midway City Gas Co
5. Brewer #5
6. Marrabone
7. Wayne Lincoln Dist WV
8. 5.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23853
2. 47-099-00093-0000
3. 108 000 000
4. Midway City Gas Co
5. Harvy Stepp #1
6. Wayne Lincoln Dist
7. Wayne WV
8. 5.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23854
2. 47-079-00716-0000
3. 108 000 000
4. Midway City Gas Co
5. Carpenter #1
6. Curry
7. Putnam WV
8. 1.5 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23855
2. 47-011-00067-0000
3. 108 000 000
4. Midway City Gas Co
5. Ritter
6. Gyandotte
7. Cobell WV
8. 7.5 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23856
2. 47-079-00352-0000
3. 108 000 000
4. Midway City Gas Co
5. Haysleet
6. Curry
7. Putnam WV
8. 9.5 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23857
2. 47-079-00315-0000
3. 108 000 000
4. Midway City Gas Co
5. Sloan
6. Curry
7. Putnam WV
8. .7 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23858
2. 47-079-00301-0000
3. 108 000 000
4. Midway City Gas Co
5. Bird & Booth

6. Curry
7. Putnam WV
8. 15.2 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23859
2. 47-079-00243-0000
3. 108 000 000
4. Midway City Gas Co
5. Switzer #8
6. Bridge Creek
7. Putnam WV
8. 3.2 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23860
2. 47-059-00183-0000
3. 108 000 000
4. Midway City Gas Co
5. Cotega #1
6. Nougotuck
7. Mingo WV
8. 18.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23861
2. 47-059-00193-0000
3. 108 000 000
4. Midway City Gas Co
5. Cotega #2
6. Nougotuck
7. Mingo WV
8. 18.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23862
2. 47-059-00247-0000
3. 108 000 000
4. Midway City Gas Co
5. Collier #1
6. Hardee
7. Mingo WV
8. 5.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23863
2. 47-059-00339-0000
3. 108 000 000
4. Midway City Gas Co
5. Collier #3
6. Hardee
7. Mingo WV
8. 5.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23864
2. 47-059-00342-0000
3. 108 000 000
4. Midway City Gas Co
5. Collier #4
6. Hardee
7. Mingo WV
8. 5.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23865
2. 47-059-00466-0000
3. 108 000 000
4. Midway City Gas Co
5. Cotega #4
6. Hardee
7. Mingo WV
8. 5.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23866
2. 47-059-00217-0000
3. 108 000 000
4. Midway City Gas Co
5. Cotega #3
6. Nougotuck
7. Mingo WV
8. 18.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23867
2. 47-099-01547-0000
3. 108 000 000
4. Midway City Gas Co
5. Brewer #6
6. Marrobone
7. Wayne Lincoln Dist WV
8. 5.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23868
2. 47-069-00015-0000
3. 108 000 000
4. Micoa Inc
5. Craig No 1
6. Twilight
7. Ohio WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission

1. 80-23869
2. 47-007-00667-0000
3. 108 000 000
4. Micoa Inc
5. Post No 2
6. Aspinall-Finster
7. Braxton WV
8. 2.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23870
2. 47-007-00640-0000
3. 108 000 000
4. Micoa Inc
5. Post No 1
6. Aspinall-Finster
7. Braxton WV
8. 2.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23871
2. 47-007-00575-0000
3. 108 000 000
4. Donald S Garvin et al
5. Wilson No 1
6. Aspinall-Finster
7. Braxton WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23872
2. 47-007-00571-0000
3. 108 000 000
4. Donald S Garvin and I L Morris
5. Conrad No 1
6. Heaters
7. Braxton WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply

1. 80-23873
2. 47-007-00455-0000
3. 108 000 000
4. Donald S Garvin et al
5. Stockert No 1

6. Heaters
7. Braxton WV
8. 3.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23874
2. 47-085-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Garner #1
6. Pennsboro Tollgate
7. Ritchie WV
8. 3.7 million cubic feet
9. April 1, 1980
10. Carnegie Natural Gas Co
1. 80-23875
2. 47-015-01521-0000
3. 103 000 000
4. Leland Petroleum Production Inc
5. Schoonover #2
6. Elkhurst
7. Clay WV
8. 37.0 million cubic feet
9. April 1, 1980
10. Southeastern
1. 80-23876
2. 47-021-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Duffield #4
6. Stumptown Norman
7. Gilmer WV
8. 3.7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23877
2. 47-021-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Reaser #3
6. Revel
7. Gilmer WV
8. 1.8 million cubic feet
9. April 1, 1980
10. Equitable Gas Co
1. 80-23878
2. 47-013-21364-0000
3. 108 000 000
4. McCune Oil & Gas Co
5. Bruce McCune No 1
6. Washington District
7. Calhoun WV
8. .9 million cubic feet
9. April 1, 1980
10. Cabot Corp
1. 80-23879
2. 47-021-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Duffield #1
6. Stumptown Norman
7. Gilmer WV
8. 3.7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23880
2. 47-021-00000-0000
3. 108 000 000
4. Gulf Oil Corporation
5. Frymier #1
6. Burnt House Lucrern
7. Gilmer WV
8. 1.1 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23881
2. 47-021-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Lowther H #1
6. Glenville
7. Gilmer WV
8. 5.5 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23882
2. 47-021-00000-0000
3. 108 000 000
4. Gulf Oil Corporation
5. Lowther H #2
6. Glenville
7. Gilmer WV
8. 5.5 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23883
2. 47-021-00000-0000
3. 108 000 000
4. Gulf Oil Corporation
5. Kub A #1
6. Glenville West Weir
7. Gilmer WV
8. 4.9 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23884
2. 47-021-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Kub #1
6. Glenville West
7. Gilmer WV
8. 7.4 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23885
2. 47-021-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Jones B #1
6. Glenville West Salt Sand
7. Gilmer WV
8. 7.4 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23886
2. 47-021-00000-0000
3. 108 000 000
4. Gulf Oil Corp
5. Jones C #1
6. Glenville West Salt Sand
7. Gilmer WV
8. 7.4 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23887
2. 47-021-00000-0000
3. 108 000 000
4. Gulf Oil Corporation
5. Bailey A #1
6. Glenville West Weir
7. Gilmer WV
8. 3.7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23888
2. 47-021-00000-0000
3. 108 000 000
4. Gulf Oil Corporation
5. Kub B #1

6. Glenville West
7. Gilmer WV
8. 7.4 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23889
2. 47-079-00201-0000
3. 108 000 000
4. Midway City Gas Co
5. Switzer #7
6. Bridge Creek
7. Putnam WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp
1. 80-23890
2. 47-079-00128-0000
3. 108 000 000
4. Midway City Gas Co
5. Switzer #6
6. Bridge Creek
7. Putnam WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp
1. 80-23891
2. 47-079-00072-0000
3. 108 000 000
4. Midway City Gas Co
5. Switzer #5
6. Bridge Creek
7. Putnam WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp
1. 80-23892
2. 47-079-00021-0000
3. 108 000 000
4. Midway City Gas Co
5. Switzer #4
6. Bridge Creek
7. Putnam WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp
1. 80-23893
2. 47-059-00029-0000
3. 108 000 000
4. Huntington Oklahoma Oil
5. B Brewer #1
6. Kermit
7. Mingo WV
8. 13.7 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp
1. 80-23894
2. 47-039-03379-0000
3. 103 000 000
4. Allegheny & Western Energy Corp
5. Ohley Trust No 5
6. Cabin Creek
7. Kanawha WV
8. 50.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp
1. 80-23895
2. 47-039-03378-0000
3. 103 000 000
4. Allegheny & Western Energy Corp
5. Ohley Trust No 4
6. Cabin Creek
7. Kanawha WV
8. 43.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Transmission Corp

1. 80-23896
 2. 47-039-03376-0000
 3. 103 000 000
 4. Allegheny & Western Energy Corp
 5. Ohley Trust No 3
 6. Cabin Creek
 7. Kanawha WV
 8. 40.0 million cubic feet
 9. April 1, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23897
 2. 47-039-03372-0000
 3. 103 000 000
 4. Allegheny & Western Energy Corp
 5. Ohley Trust No 2
 6. Cabin Creek
 7. Kanawha WV
 8. 45.0 million cubic feet
 9. April 1, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23898
 2. 47-039-03371-0000
 3. 103 000 000
 4. Allegheny & Western Energy Corp
 5. Ohley Trust No 1
 6. Cabin Creek
 7. Kanawha WV
 8. 0 million cubic feet
 9. April 1, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23899
 2. 47-085-03235-0000
 3. 108 000 000
 4. Edwin C Meredith
 5. Allen #3
 6. Lambs Run
 7. Ritchie WV
 8. .6 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23900
 2. 47-085-03204-0000
 3. 108 000 000
 4. Edwin C Meredith
 5. Allen #2
 6. Lambs Run
 7. Ritchie WV
 8. .6 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23901
 2. 47-085-03171-0000
 3. 108 000 000
 4. Edwin C Meredith
 5. Daugherty #12-B
 6. Lambs Run
 7. Ritchie WV
 8. .6 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23902
 2. 47-085-03127-0000
 3. 108 000 000
 4. Edwin C Meredith
 5. Daugherty #11-B
 6. Lambs Run
 7. Ritchie WV
 8. .6 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23903
 2. 47-085-03126-0000
 3. 108 000 000
 4. Edwin C Meredith
 5. Daugherty #10-B

6. Lambs Run
 7. Ritchie WV
 8. .6 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23904
 2. 47-085-02993-0000
 3. 108 000 000
 4. Edwin C Meredith
 5. Daugherty #8-B
 6. Lambs Run
 7. Ritchie WV
 8. .6 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23905
 2. 47-085-03008-0000
 3. 108 000 000
 4. Edwin C Meredith
 5. Daugherty 7-B
 6. Lambs Run
 7. Ritchie WV
 8. .6 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23906
 2. 47-015-01423-0000
 3. 103 000 000
 4. Leland Petroleum Production Inc
 5. Brockman #1
 6. Elkhurst
 7. Clay WV
 8. 37.0 million cubic feet
 9. April 1, 1980
 10. Southeastern
 1. 80-23907
 2. 47-015-01315-0000
 3. 108 000 000
 4. Leland Petroleum Production Inc
 5. B Legg #1
 6. Middle Sycamore Creek
 7. Clay WV
 8. 2.0 million cubic feet
 9. April 1, 1980
 10. Cabot Corp
 1. 80-23908
 2. 47-015-01259-0000
 3. 103 000 000
 4. Leland Petroleum Production Inc
 5. Joe Weiland #3
 6. Middle Sycamore
 7. Clay WV
 8. 36.0 million cubic feet
 9. April 1, 1980
 10. Southeastern Gas Co
 1. 80-23909
 2. 47-015-01279-0000
 3. 103 000 000
 4. Leland Petroleum Production
 5. G Young #3
 6. Middle Sycamore
 7. Clay WV
 8. 36.0 million cubic feet
 9. April 1, 1980
 10. Southeastern Gas Co
 1. 80-23910
 2. 47-015-01296-0000
 3. 103 000 000
 4. Leland Petroleum Production Inc
 5. A Legg #1
 6. Middle Sycamore
 7. Clay WV
 8. 180.0 million cubic feet
 9. April 1, 1980
 10. Cabot Corporation

1. 80-23911
 2. 47-047-20397-0000
 3. 108 000 000
 4. C E Richner
 5. McIntyre No 1
 6. Sandy River District
 7. McDowell WV
 8. 18.0 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply
 1. 80-23912
 2. 47-005-00669-0000
 3. 108 000 000
 4. Hager Gas Co
 5. Lena J Webb No 1
 6. Boone
 7. Boone WV
 8. 4.4 million cubic feet
 9. April 1, 1980
 10. Pennzoil Co
 1. 80-23913
 2. 47-011-00287-0000
 3. 108 000 000
 4. Ralph Kirtley
 5. Kress #1
 6. L D Kress
 7. Cabell WV
 8. 8.0 million cubic feet
 9. April 1, 1980
 10. Columbia Gas Tran Corp
 1. 80-23914
 2. 47-021-21543-0000
 3. 108 000 000
 4. Mark R Downey
 5. Wilson Ec et al #1
 6. Big Injun (Center)
 7. Gilmer WV
 8. 2.0 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23915
 2. 47-085-02852-0000
 3. 108 000 000
 4. Edwin C Meredith
 5. Daugherty #3-B
 6. Lambs Run
 7. Ritchie WV
 8. .6 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23916
 2. 47-013-21544-0000
 3. 108 000 000
 4. Victor Brannon Operator
 5. M Sampson Gas Co #1
 6. Washington District
 7. Calhoun WV
 8. 14.5 million cubic feet
 9. April 1, 1980
 10. Consolidated Gas Supply Corp
 1. 80-23917
 2. 47-039-03370-0000
 3. 103 000 000
 4. Allegheny & Western Energy Corp
 5. Imperial Coal Co No 11
 6. Cabin Creek
 7. Kanawha WV
 8. 100.0 million cubic feet
 9. April 1, 1980
 10. Columbia Gas Transmission Corp
 1. 80-23918
 2. 47-015-01314-0000
 3. 103 000 000
 4. Leland Petroleum Production Inc
 5. Reedy #1

6. Middle Sycamore
7. Clay WV
8. 84.0 million cubic feet
9. April 1, 1980
10. Cabot Corporation
1. 80-23919
2. 47-013-22249-0000
3. 108 000 000
4. Francis Cain Operator
5. W B Riggs #1
6. Lee District
7. Calhoun WV
8. 5.5 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23920
2. 47-013-22213-0000
3. 108 000 000
4. Francis Cain Operator
5. Alva Bell No 2
6. Lee District
7. Calhoun WV
8. 5.5 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23921
2. 47-011-00306-0000
3. 108 000 000
4. Ralph Kirtley
5. Kress #2
6. L D Kress
7. Cabell WV
8. 8.0 million cubic feet
9. April 1, 1980
10. Columbia Gas Tran Corp
1. 80-23922
2. 47-013-21597-0000
3. 108 000 000
4. Carr Gas Co
5. Carr Gas Co #1
6. Washington District
7. Calhoun WV
8. .0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23923
2. 47-013-21640-0000
3. 108 000 000
4. Carr Gas Co
5. Carr Gas Co #2
6. Washington District
7. Calhoun WV
8. 5.7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23924
2. 47-013-21476-0000
3. 108 000 000
4. Alva Bell Gas Co #1
5. Alva Bell Gas Co #1
6. Lee
7. Calhoun WV
8. 1.8 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23925
2. 47-005-00701-0000
3. 108 000 000
4. Hager Gas Co
5. J G Hager No 1
6. Boone
7. Boone WV
8. 7.7 million cubic feet
9. April 1, 1980
10. Pennzoil Co
1. 80-23926
2. 47-015-01302-0000
3. 103 000 000
4. Leland Petroleum Production Inc
5. Scoonover #1
6. Elkhurst
7. Clay WV
8. 37.0 million cubic feet
9. April 1, 1980
10. Southeastern
1. 80-23927
2. 47-015-01422-0000
3. 103 000 000
4. Leland Petroleum Production Inc
5. H Young #1
6. Middle Sycamore
7. Clay WV
8. 36.0 million cubic feet
9. April 1, 1980
10. Southeastern Gas Co
1. 80-23928
2. 47-085-02956-0000
3. 108 000 000
4. Edwin C Meredith
5. Daugherty #5-B
6. Lambs Run
7. Ritchie WV
8. .8 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23929
2. 47-021-21920-0000
3. 108 000 000
4. Mark Richard Downey
5. Wilson E C et al #3
6. Big Injun (Center District)
7. Gilmer WV
8. 1.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23930
2. 47-085-02940-0000
3. 108 000 000
4. Edwin C Meredith
5. Daugherty 4 B
6. Lambs Run
7. Ritchie WV
8. .6 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23931
2. 47-107-00545-0000
3. 108 000 000
4. B & L Oil Co
5. B T Beeson Woo 545 12A
- 6.
7. Wood County Williams WV
8. 4.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23932
2. 47-021-00853-0000
3. 108 000 000
4. B & L Oil Co
5. Heckert Heirs Gil 853 20A
6. Upper Horn Creek
7. Gilmer Co WV
8. 6.5 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23933
2. 47-085-02006-0000
3. 108 000 000
4. B & L Oil Co
5. Lizzie Hart Rit 2006 83A
6. Hughes River
7. Ritchie County WV
8. .7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23934
2. 47-085-02457-0000
3. 108 000 000
4. B & L Oil Co
5. B R Weekley 1 Rit 2457 200A
6. Upper Cabin Run
7. Ritchie County WV
8. .7 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23935
2. 47-085-02897-0000
3. 108 000 000
4. B & L Oil Co
5. A H Wilson Rit 2897 100A
6. Smithville
7. Ritchie Co WV
8. 4.6 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23936
2. 47-085-02852-0000
3. 108 000 000
4. B & L Oil Co
5. Kennedy #5 Rit 2852 293A
6. Lambs Run
7. Ritchie County WV
8. 2.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23937
2. 47-085-00597-0000
3. 108 000 000
4. B & L Oil Co
5. Kennedy #1 Rit 597 293A
6. Lambs Run
7. Ritchie County WV
8. 2.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23938
2. 47-085-02868-0000
3. 108 000 000
4. B & L Oil Co
5. Kennedy #2 Rit 2868 293A
6. Lambs Run
7. Ritchie County WV
8. 2.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23939
2. 47-085-02907-0000
3. 108 000 000
4. B & L Oil Co
5. Kennedy #3 Rit 2907 293A
6. Lambs Run
7. Ritchie County WV
8. 2.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp
1. 80-23940
2. 47-085-02923-0000
3. 108 000 000
4. B & L Oil Co
5. Kennedy #4 Rit 2923 293A
6. Lambs Run
7. Ritchie County WV
8. 2.0 million cubic feet
9. April 1, 1980
10. Consolidated Gas Supply Corp

1. 80-23941
2. 47-085-03032-0000
3. 108 000 000
4. B & L Oil Co
5. G Vincent No 1 Rit 3032 121A
6. Isaac Fork
7. Ritchie County WV
8. 2.7 million cubic feet
9. April 1, 1980
10. Carnegie Natural Gas

1. 80-23942
2. 47-085-03032-0000
3. 108 000 000
4. B & L Oil Co
5. G Vincent No 3 Rit 3043 121A
6. Isaac Fork
7. Ritchie County WV
8. 2.7 million cubic feet
9. April 1, 1980
10. Carnegie Natural Gas

1. 80-23943
2. 47-085-03061-0000
3. 108 000 000
4. B & L Oil Co
5. G Vincent No 4 Rit 3061 1 21A
6. Isaac Fork
7. Ritchie County WV
8. 2.7 million cubic feet
9. April 1, 1980
10. Carnegie Natural Gas

1. 80-23944
2. 47-021-02552-0000
3. 108 000 000
4. L & M Exploration Inc
5. Divers (Maynard) #2
- 6.
7. Gilmer WV
8. 11.0 million cubic feet
9. March 10, 1980
10. Consolidated Gas Supply Corp.

1. 80-23945
2. 47-021-23220-0000
3. 103 000 000
4. L & M Exploration Inc
5. Roberts #2
- 6.
7. Gilmer WV
8. 10.0 million cubic feet
9. March 10, 1980
10. Carnegie Natural Gas Co

U.S. Geological Survey, Metairie, La.

1. Control number (FERC/State)
2. API well number
3. Section of NGPA
4. Operator
5. Well name
6. Field or OCS area name
7. County, State or block No
8. Estimated annual volume
9. Date received at FERC
10. Purchaser(s)
1. 80-23957/G9-1097
2. 17-711-40400-00S1-0
3. 102 000 000
4. Ocean Production Co
5. OCS-G-1023 No E-1A
6. Ship Shoal 222 Field
7. 224
8. 300.0 million cubic feet
9. March 31, 1980
10. Transcontinental Gas Pipeline Corp
1. 80-23958/G9-1100
2. 17-708-40354-00S1-0
3. 102 000 000 denied

4. Texaco Inc
5. OCS-G-2095 #A-2
6. South Marsh Island
7. 116
8. 48.0 million cubic feet
9. March 31, 1980
10. Tennessee Gas Pipeline Co
1. 80-23959/G9-1124
2. 17-720-40069-00D1-1
3. 102 000 000
4. Gulf Oil Corp
5. OCS G-1101 #G-1 W D Blk 117
6. West Delta
7. 117
8. 200.0 million cubic feet
9. March 31, 1980
10. Texas Eastern Transmission Corp

1. 80-23960/G9-1125
2. 17-720-40069-00D2-2
3. 102 000 000
4. Gulf Oil Corp
5. OCS G-1101 #G-1D W D Blk 117
6. West Delta
7. 117
8. 175.0 million cubic feet
9. March 31, 1980
10. Texas Eastern Transmission Corp

1. 80-23961/G9-1192
2. 17-701-40070-0000-2
3. 102 000 000
4. Transocean Oil Inc
5. A-2-D
6. West Cameron Area WA
7. 331
8. .0 million cubic feet
9. March 31, 1980
10. Southern Natural Gas Co, United Gas Pipeline Co

1. 80-23962/G9-1193
2. 17-701-40070-0000-1
3. 102 000 000
4. Transocean Oil Inc
5. A-2
6. West Cameron Area WA
7. 331
8. .0 million cubic feet
9. March 31, 1980
10. Southern Natural Gas Co, United Gas Pipeline Co

1. 80-23963/G9-1194
2. 17-701-40069-0000-0
3. 102 000 000
4. Transocean Oil Inc
5. A-3
6. West Cameron Area WA
7. 331
8. 730.0 million cubic feet
9. March 31, 1980
10. Southern Natural Gas Co, United Gas Pipeline Co

1. 80-23964/G9-1216
2. 17-705-40358-00S1-0
3. 107 000 000
4. Union Oil Co of California
5. OCS-G-1357 1 No 1
6. Vermilion
7. 36
8. 730.0 million cubic feet
9. March 31, 1980
10. Florida Gas Transmission Corp, Florida Power & Light Co
1. 80-23965/G9-1217
2. 17-705-40371-00D2-0
3. 102 000 000
4. Union Oil Co of California

5. OCS-G-3327 No 1-D
6. Vermilion
7. 65
8. 880.0 million cubic feet
9. March 31, 1980
- 10.
1. 80-23966/G9-1220
2. 17-715-40225-00S1-0
3. 102 000 000
4. Conoco Inc
5. OCS-G 3176 #A-3 St 146
6. South Timbalier
7. 146
8. 1040.0 million cubic feet
9. March 31, 1980
10. United Gas Pipeline Co

The applications for determination in these proceedings together with a copy or description of other materials in the record on which such determinations were made are available for inspection, except to the extent such material is treated as confidential under 18 CFR 275.206, at the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, N.E., Washington, D.C. 20428.

Persons objecting to any of these final determinations may, in accordance with 18 CFR 275.203 and 18 CFR 275.204, file a protest with the Commission on or before May 6, 1980.

Please reference the FERC Control Number in all correspondence related to these determinations.

Kenneth F. Plumb,
Secretary.

[FR Doc. 80-12077 Filed 4-18-80; 8:45 am]

BILLING CODE 8450-85-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL 1470-4; PP 9G2168/T233]

Chlorpyrifos; Establishment of Temporary Tolerances

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Temporary tolerances have been established for residues of the insecticide chlorpyrifos on lemons and oranges at 2.5 parts per million (ppm).

FOR FURTHER INFORMATION CONTACT: Mr. Charles Mitchell, Acting Product Manager (PM) 12, Room E-303, Office of Pesticide Programs (TS-767), Environmental Protection Agency, 401 M St. SW, Washington, DC 20460, (202-426-2835).

SUPPLEMENTARY INFORMATION: Dow Chemical Co., PO Box 1706, Midland, MI 48640, has submitted a pesticide petition (PP 9G2168) to the EPA. This petition requests that temporary tolerances be established for combined residues of the

insecticide chlorpyrifos (*O,O*-diethyl *O*-(3,5,6-trichloro-2-pyridyl)phosphorothioate and its metabolite 3,5,6-trichloro-2-pyridinol in or on the raw agricultural commodities lemons and oranges at 2.5 ppm. (A related document establishing a feed additive regulation for residues of chlorpyrifos in dried citrus pulp appears elsewhere in today's Federal Register.)

Establishment of these temporary tolerances will permit the marketing of the above raw agricultural commodities when treated in accordance with an experimental use permit (464-EUP-56) that is being issued concurrently under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended in 1972, 1975, and 1978 (92 Stat. 819; 7 U.S.C. 136).

An evaluation of the scientific data reported and other relevant material has shown that the requested tolerances are adequate to cover residues resulting from the proposed experimental use, and it has been determined that the temporary tolerances will protect the public health. The temporary tolerances are being established for the pesticide, therefore, with the following provisions:

1. The total amount of the pesticide to be used must not exceed the quantity authorized by the experimental use permit.

2. Dow Chemical Co. must immediately notify the EPA of any findings from the experimental use that have a bearing on safety. The firm must also keep records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the EPA or the Food and Drug Administration.

These temporary tolerances expire April 10, 1981. Residues not in excess of 2.5 ppm remaining in or on lemons and oranges after this expiration date will not be considered actionable if the pesticide is legally applied during the term of and in accordance with the provisions of the experimental use permit and temporary tolerances. These temporary tolerances may be revoked if the experimental use permit is revoked or if any scientific data or experience with this pesticide indicates such revocation is necessary to protect the public health.

(Sec. 408(j), 68 Stat. 516, (21 U.S.C. 346a(j)))

Dated: April 15, 1980.

Douglas D. Camp,
Director, Registration Division, Office of
Pesticide Programs.

[FR Doc. 80-12100 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1471-1]

Science Advisory Board, Ecology Committee; Open Meeting

Under Pub. L. 92-463, Notice is hereby given that a meeting of the Ecology Committee of the Science Advisory Board will be held on May 8 and 9, 1980, beginning at 9:00 a.m., in the Hall of States-A, Skyline Inn, South Capitol and I Streets, SW., Washington, D.C.

This is the twenty-second meeting of the Ecology Committee. The agenda includes a report on Science Advisory Board activities; a presentation and discussion on the use of artificial substrates as a monitoring device; a commentary on the Office of Research and Development's Research Program review on pesticides; a briefing on the National Crop Loss Assessment Network; a discussion on ecological aspects in screening of toxic substances; and member items of interest.

The meeting is open to the public. Any member of the public wishing to attend, participate, or obtain information should contact Dr. J. Frances Allen, Executive Secretary, Ecology Committee, or Ms. Anita B. Najera (202) 472-9444.

Dated: April 15, 1980.

Richard M. Dowd,

Staff Director, Science Advisory Board.

[FR Doc. 80-12101 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1471-2]

Science Advisory Board, Environmental Pollutant Movement and Transformation Committee; Open Meeting

Under Pub. L. 92-463, notice is hereby given of a meeting of the Environmental Pollutant Movement and Transformation Committee of the Science Advisory Board. The meeting will be held at the Ramada Inn in Falls Church, Virginia on May 8-9, 1980. The address is the Ramada Inn Hotel, 7801 Leesburg Pike, Falls Church, Virginia 22043.

The meeting is open to the public. Meeting will concern topics of interest to the Committee members and discussion of pending Committee reports.

Because of limited seating capacity, members of the public desiring to attend should preregister by close of business May 5, 1980. Please call Ms. Osborne or Dr. Fisher of the Science Advisory Board at 202-472-9444 to preregister or obtain

information about the meeting.

Richard M. Dowd,

Staff Director, Science Advisory Board.

[FR Doc. 80-12102 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1465-5]

Region III: Ground Water System of a Coastal Plain Aquifer in Delaware; Request for EPA Determination Regarding Aquifer

A petition has been submitted by the Water and Light Commissioners, an autonomous agency of the City of New Castle, Delaware, pursuant to Section 1424(e) of the Safe Drinking Water Act, Pub. L. 93-523, requesting the Regional Administrator of the Environmental Protection Agency to make a determination that a portion of the aquifer underlying New Castle County, Delaware be designated as the sole or principal drinking water source for the area which, if contaminated, would create a significant hazard to public health.

The petition is reprinted in full below:

Before the U.S. Environmental Protection Agency, Douglas M. Costle, Administrator—Petition

In the matter of the Petition on the Board of Water and Light Commissioners under Section 1424(e) of the Safe Drinking Water Act of 1974 with respect to a portion of the aquifer underlying New Castle County, Delaware.

1. The Board of Water and Light Commissioners is an autonomous agency of the City of New Castle. The Board was created by an act of the General Assembly of Delaware and is charged with the responsibility of furnishing water to the inhabitants of the City of New Castle and has authority to also furnish water within three miles of the corporate limits. Its principal office is located at 216 Chestnut Street, New Castle, Delaware. Communication regarding this Petition should be addressed to that office.

2. Section 1424(e) of the 1974 Safe Drinking Water Act (42 U.S.C. 300f. 300h-3(e)) provides as follows:

"(e) If the Administrator determines, on his own initiative or upon petition, that an area has an aquifer which is the sole or principal drinking water source for the area and which, if contaminated, would create a significant hazard to public health, he shall publish notice of that determination in the Federal Register. After the publication of any such notice, no Federal financial assistance (through a grant, contract,

loan guarantee, or otherwise) may be entered into for any project which the Administrator determines may contaminate such aquifer through a recharge zone so as to create a significant hazard to public health, but a commitment for Federal financial assistance may, if authorized under another provision of law, be entered into to plan or design the project to assure that it will not so contaminate the aquifer."

3. The area which is the subject of this petition is that portion, piece or parcel of the Delaware Coastal Plain situate in New Castle Hundred, New Castle County and State of Delaware, and being more particularly bounded and described below and on a survey of Van Demark & Lynch, Civil Engineers and Surveyors, Drawing No. 14725-17699B, dated May 5, 1976, revised May 18, 1976, and entered as Exhibit I.

Beginning at the point of intersection of the west shore of the Delaware River at its high water mark, with the arc of circle 3 miles from the southerly boundary line of the City of New Castle, shown on said survey; thence in a generally northwesterly direction by the arc of said 3 mile circle, a distance of 10,400 feet more or less to the point of intersection of said three mile arc with U.S. Highway Route 40; thence in a northeasterly direction by a straight line a distance of approximately 11,500 feet, more or less to the point of intersection on U.S. Route 13 and Route 273; hence from said point of intersection in a straight line in a generally northeasterly direction a distance of 18,500 feet, more or less, to the point of intersection of the Delaware Memorial Bridge approach (U.S. Interstate Route 295 and Delaware State Route No. 9); thence in an easterly direction along said U.S. Route 295 by the centerline thereof, to the high water mark along the westerly shore of the Delaware River; and thence in a southerly direction following the high water line of said Delaware River by several courses and distances 7 miles, more or less, to the point and place of the Beginning.

4. The area requested for designation is part of the recharge area of the Potomac Formation, as well as for the Pleistocene Deposits (Columbia formation) which in places overlay it. Therefore, if a designation is made, protection will be extended to the recharge area of these formations. The recharge area of the Potomac and Columbia formations is bounded on the east by the Delaware River; the north by the Piedmont Physiographic Province or Fall Line; the west by the Delaware-

Maryland State Border; and the south by the outcrops of the Magothy and Merchantville Formations. (See Exhibit II).

5. The area is underlain by a series of interconnected sands, silts, and clays, (Potomac Formation) resting upon crystalline bedrock. The sands are interspersed through the area of clays and silts, generally in discrete zones. In most places, coarser, younger sands overlie the material described above (Columbia Formation). These upper sands and the older lower sands generally serve as aquifers. These water-bearing sands are interconnected, some more closely in time and distance than others. In other cases, the sands are separated by thicker layers of silt and clay, and the interconnection would be more remote in both distance and time but are eventually connected. This is often referred to as a "leaky" system. Any substance entering the ground could have an adverse effect upon the aquifer and nearby wells.

6. Within this area, publicly and privately supplied drinking water is entirely derived from ground water. The average annual yield of water contributed to this area from the Board's wells is approximately 200 million gallons.

7. At the present time, no alternative to dependence on ground water for water supply exists in the area. It is possible to imagine the development of a major water supply system to import water to the area from the Delaware River, but such a scheme would be expensive and virtually infeasible politically.

8. Contamination of the ground water in the area would constitute a significant hazard to public health. Isolated incidents of ground water contamination of wells have already been identified.

9. To make the determination under Section 1424(e) of the Safe Drinking Water Act, the Administrator must find (1) "an area has an aquifer which is the sole or principal drinking water source," and (2) that if the aquifer were contaminated it "would create a significant hazard to public health."

As established above, the area which is the subject of this petition is almost entirely dependent upon its aquifer system for drinking water and that contamination of the ground water would create a significant hazard to public health.

10. Therefore, I request that you determine that the portion of New Castle County (as delineated in Exhibit I) constitute an area whose aquifer system is "the sole or principal drinking

water source for the area and which, if contaminated, would create a significant hazard to public health," and that you publish notice of this determination in the Federal Register as required by Section 1424(e) of the Safe Drinking Water Act of 1974.

Respectfully submitted: Edward W. Cooch, Jr., of Cooch and Taylor; Wilmington Delaware; Attorney for the Board of Water and Light Commissioners.

Exhibits

1. Survey of Van Demark & Lynch, Civil Engineers & Surveyors, Drawing No. 14725-17699B, dated May 5, 1976; Revised May 18, 1976.¹

2. Geologic Map of Delaware.

EPA intends to decide whether to make the requested designation at the earliest time after a complete review of the relevant data and information and a full opportunity for public participation. In this regard, the Agency is developing a full factual record and solicits comments, data, and references to additional sources of information relevant to the determination required by Section 1424(e).

Comments, data, and references in response to this Notice should be submitted in writing to Benjamin A. Lacy, Chief, Groundwater Protection Section, Environmental Protection Agency, Region III, 6th & Walnut Streets, Philadelphia, PA 19106. Attention: New Castle Determination; within 90 days of this notice.

In addition to considering public comments sent to EPA, the Agency will hold two public hearings on the date, times, and at the location shown below: May 20, 1980, 3:30-5:30 p.m. and 7:00-9:00 p.m., New Castle Junior High School auditorium, 9th and Delaware Streets, New Castle, Delaware.

Persons who wish to present prepared statements at the public hearings are urged to give notice to Mr. Lacy, (215) 597-9000, or Mr. Stephen Platt, (215) 597-9017, prior to the hearings. If possible, written copies of these statements should be submitted at the hearing for inclusion in the record.

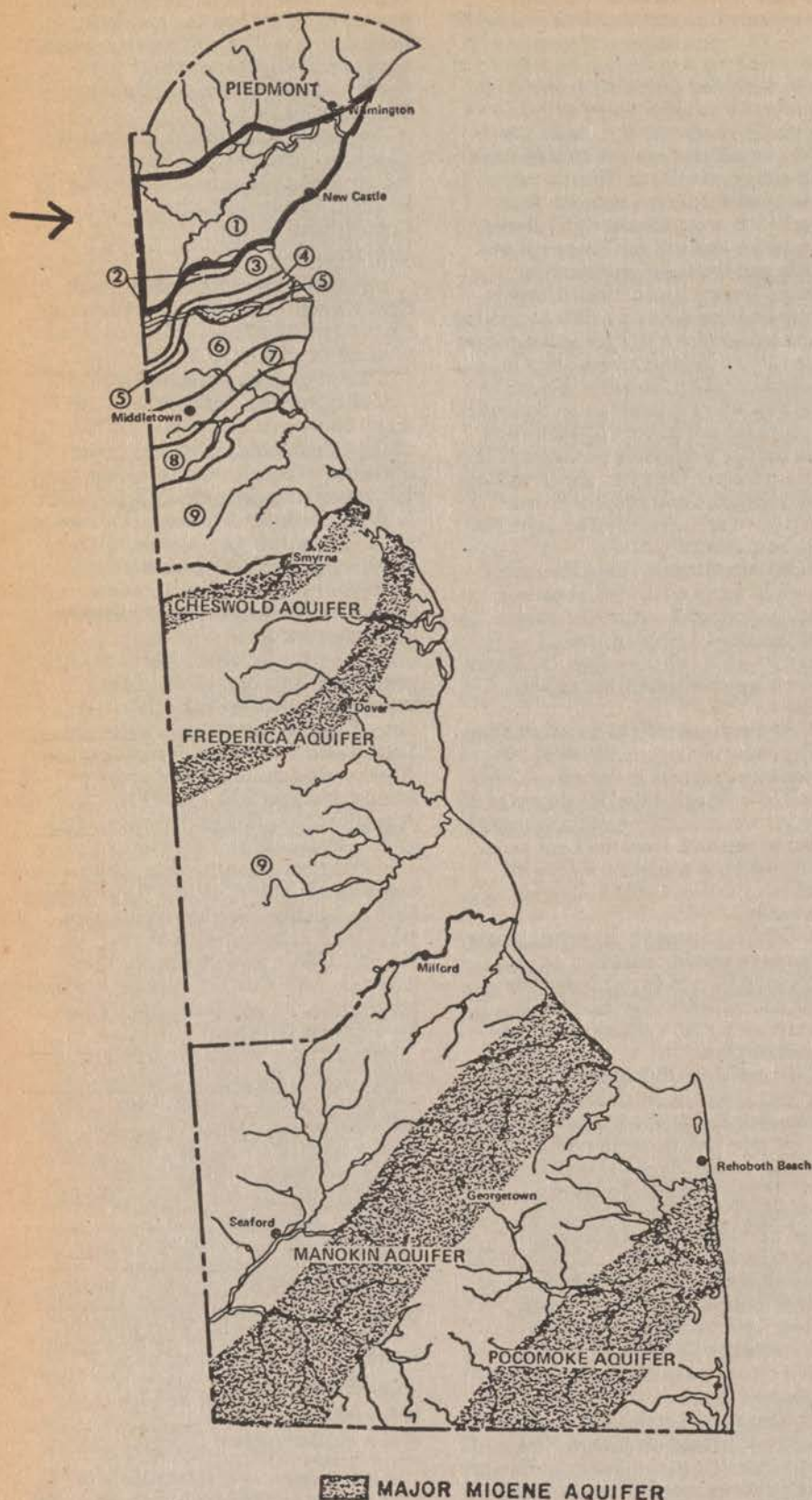
All information concerning this request for sole source aquifer designation has been made available for review at New Castle Town Hall, New Castle, Delaware, and at the EPA Region III office in Philadelphia.

Dated: March 27, 1980.

Jack J. Schramm,
Regional Administrator.

¹ Available for review at the EPA Region III office, 6th and Walnut Sts., Philadelphia, Pa., and at the New Castle, Del., Town Hall.

Exhibit 2—A Geologic Map of Delaware



(1) Kpt; Potomac Formation; Variegated red, gray, purple, yellow and white, frequently lignitic silts and clays containing interbedded white, gray, and rust-brown quartz sands and some gravel. Individual beds usually laterally restricted.

(2) Km; Magothy Formation; White and buff, frequently sugary, clean quartz sand with beds of gray and black clayey silt containing much lignite, pyrite-filled limey clay concretions and sulfate blooms. Formation discontinuous along strike in subcrop.

(3) Kmv; Merchantville Formation; Dark gray to dark blue, micaceous, glauconitic sandy silt and silty fine sand; very sticky when wet. *Platoniceras placenta*, small siderite nodules, burrows by benthic organisms.

(4) Ket; Englishtown Formation; Light gray and rust brown, well sorted, micaceous, sparingly glauconitic, often "fluffy", fine sand with thin interbedded layers of dark gray silty sand. Abundant nodulose burrows of *Callianassa*, particularly in upper sands.

(5) Kmt; Marshalltown Formation; Dark greenish-gray, massive, highly glauconitic very silty sand. Abundant *Exogyra ponderosa*.

(6) Kml; Mount Laurel Formation; Gray, green and red-brown, glauconitic, fine to medium, quartz sand with some silt.

(7) Tht; Hornerstown Formation; Green, gray and reddish-brown, fine to medium silty, highly glauconitic sand and sandy silt. Red sands are found locally in Odessa area.

(8) Tvt; Vincentown Formation; Green, gray and reddish-brown, fine to coarse, highly quartzose glauconitic sand with some silt.

(9) Te; Chesapeake Group; Gray and bluish-gray silt, with some fine sand and silt beds.

[FR Doc. 80-12050 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1469-6]

Agency Comments on Environmental Impact Statements and Other Actions Impacting the Environment

Pursuant to the requirements of the section 102(2)(C) of the National Environmental Policy Act of 1969, and section 309 of the Clean Air Act, as amended, the Environmental Protection Agency (EPA) has reviewed and commented in writing on Federal agency actions impacting the environment contained in the following appendices during the period of February 1, 1979 and February 28, 1979.

Appendix I contains a listing of draft environmental impact statements reviewed and commented upon in writing during this review period. The list includes the Federal agency responsible for the statement, the number and title of the statement, the classification of the nature of EPA's comments as defined in Appendix II, and the EPA source for copies of the comments as set forth in Appendix VI.

Appendix II contains the definitions of the classifications of EPA's comments on the draft environmental impact

statements as set forth in Appendix I.

Appendix III contains a listing of final environmental impact statements reviewed and commented upon in writing during this review period. The listing includes the Federal agency responsible for the statement, the number and title of the EPA source for copies of the comments as set forth in Appendix VI.

Appendix IV contains a listing of final environmental impact statements reviewed but not commented upon by EPA during this review period. The listing includes the Federal agency responsible for the statement, the number and title of the statement, a summary of the nature of EPA's comments, and the EPA source for copies of the comments as set forth in Appendix VI.

Appendix V contains a listing of proposed Federal agency regulations, legislation proposed by Federal agencies, and any other proposed actions reviewed and commented upon in writing pursuant to section 309(a) of the Clean Air Act, as amended, during the referenced reviewing period. This listing includes the Federal agency

responsible for the proposed action, the title of the action, a summary of the nature of EPA's comments, and the source for copies of the comments as set forth in the Appendix VI.

Appendix VI contains a listing of the names and addresses of the sources of EPA reviews and comments listing in Appendices I, III, IV, and V.

Note that this is a 1979 report; the backlog of reports should be eliminated over the next three months.

Copies of the EPA Manual setting forth the policies and procedures for EPA's review of agency actions may be obtained by writing the Public Information Reference Unit, Environmental Protection Agency, Room 2922, Waterside Mall SW, Washington, D.C. 20460, telephone 202/755-2808. Copies of the draft and final environmental impact statements referenced herein are available from the originating Federal department or agency.

Dated: April 14, 1980.

William N. Hedeman, Jr.,
Director, Office of Environmental Review.

Appendix I.—Draft Environmental Impact Statements for Which Comments Were Issued Between Feb. 1 and Feb. 28, 1979

Identifying No.	Title	General nature of comments	Source for copies of comments
CORPS OF ENGINEERS			
DR-COE-B36015-00	Dickey-Lincoln School Lakes, Maine, New Hampshire, Vermont, and Quebec, Canada	ER2	B
D-COE-B36019-MA	Westfield River Local Protection Project, Westfield, Hampden County, Massachusetts	ER2	B
D-COE-D35016-MD	Baltimore and Washington International Yachting Center, Permit, Magothy River, Anne Arundel County, Maryland	ER2	D
D-COE-D35017-MD	Mariner's Two Marina, Permit, Middle River, Baltimore County, Maryland	LO1	D
D-COE-E39004-FL	Grove Isle, Fair Isle Marina, Miami, Florida	LO1	E
D-COE-F36055-MI	Detroit River, Shoreline Flood Protection, Down River, Wayne County, Michigan	LO2	F
DR-COE-G32025-TX	Brownsville Channel Improvements, Navigation Brazos Island Harbor, Texas	ER2	G
D-COE-H39001-MO	Borg-Warner Chemicals Plastic Plant, Saverton, Mississippi River, Permit, Missouri	3	H
DS-COE-K35014-CA	Oakland Outer Harbor, Deep-Draft Navigation Improvements, California	LO2	J
DS-COE-L36062-WA	Seattle Harbor Navigation Project, Operation and Maintenance, King County, Washington	LO1	K
DS-COE-L36070-00	Improvements to Navigation at Bonneville Lock and Dam, Oregon and Washington	ER2	K
DEPARTMENT OF AGRICULTURE			
D-AFS-A82101-00	Cooperative Gypsy Moth Suppression and Regulatory Program, 1979 Activities	ER2	A
DR-AFS-B82006-ME	Cooperative Spruce Budworm Suppression Project, Maine 1979 (NA 79-01A)	ER2	B
D-AFS-E65021-SC	Timber Management Plan, Piedmont Block, Sumter National Forest, South Carolina	LO2	E
D-AFS-L61121-OR	Heppner Planning Unit, Umatilla National Forest, Umatilla, Morrow, Wheeler and Grant Counties, Oregon (USDA-FS-R6-DES(ADM)-79-06)	ER1	K
D-AFS-L65043-AK	Louisiana-Pacific, Ketchikan Division, Timber Sale 1979-84 Operating Period, Prince of Wales Island and Revilla Island, Tongass National Forest, Alaska (USDA-FS-R10-DES(ADM)01-79)	LO2	K
DEPARTMENT OF COMMERCE			
D-EDA-L85011-WA	Expansion, Port of Camas-Washougal Industrial Park, Washougal, Washington	ER2	K

Appendix I.—Draft Environmental Impact Statements for Which Comments Were Issued Between Feb. 1 and Feb. 28, 1979—Continued

Identifying No.	Title	General nature of comments	Source for copies of comments
DEPARTMENT OF ENERGY			
D-DOE-A00139-00.....	Storage of U.S. Spent Power Reactor Fuel	ER2	A
DS-DOE-A00139-00.....	Bloomington-Normal Airport, McLean County, Illinois.....	ER2	A
D-DOE-A00143-00.....	Storage of Foreign Spent Power Reactor Fuel, National.....	ER2	A
D-DOE-A07015-00.....	Fuel Use Act, Coal and Alternate Fuels Use Program	ER3	A
DEPARTMENT OF THE INTERIOR			
D-SFW-J99008-00.....	Mammalian Predator Damage Management for Livestock Protection in the Western United States.....	3	I
DEPARTMENT OF TRANSPORTATION			
D-CGD-L50001-ID.....	Clearwater River Bridge, Lewiston, Nezperce County, Idaho	ER2	K
D-FAA-F51021-IL.....	Bloomington-Normal Airport, McLean County, Illinois.....	ER2	F
D-FAA-J51004-UT.....	Salt Lake City International Airport 20-Year Development Program, Davis and Salt Lake Counties, Utah.....	ER2	I
D-FHW-D40064-MD.....	I-97 Baltimore and Annapolis Transportation Corridor Study, Anne Arundel County, Maryland.....	ER2	D
D-FHW-D40066-VA.....	VA-220, VA-43 to VA-60, Allegheny and Botetourt Counties, Virginia.....	ER2	D
D-FHW-E40157-GA.....	Augusta Railroad Demonstration Project Number Perr-0001(001), Richmond County, Georgia.....	LO2	E
D-FHW-E40159-FL.....	Fletcher Avenue, FL-597 to FL-685, Hillsborough County, Florida.....	LO2	E
D-FHW-E40160-GA.....	GA-193, Chattanooga Valley Road, Walker County, Georgia (FHWA-GA-78-05-D).....	LO2	E
D-FHW-E40161-GA.....	Clairmont Road Extension, De Kalb County, Georgia (FHWA-GA-78-94-D).....	LO2	E
D-FHW-E40162-GA.....	I-575, Canton to Nelson, Cherokee and Pickens Counties, Georgia (FHWA-78-06-D).....	LO2	E
D-FHW-F40120-IN.....	Extension of Industries Road, U.S. 27 to Salisbury Road South to U.S. 40, Richmond, Wayne County, Indiana.....	LO2	F
D-FHW-F40121-OH.....	U.S. 35, U.S. 68 to U.S. 35 Bypass, Green and Fayette Counties, Ohio	LO2	F
D-FHW-F53009-WI.....	Railroad Relocation, Oshkosh, Winnebago County, Wisconsin.....	LO2	F
D-FHW-G40067-LA.....	Railroad Highway Demonstration Project, Metairie, Jefferson Parish, Louisiana	ER2	G
D-FHW-G40069-TX.....	East Loop 363 to I-35, U.S. 190 South of Temple, Bell County, Texas	LO2	G
D-FHW-J40044-ND.....	Max North and South, U.S. 83, ND-23 to ND-37, Ward and McLean Counties, North Dakota	ER2	I
D-FHW-L40073-WA.....	WA-20, Forest Highway 32, North Cascades Highway, Ross Lake National Recreation Area, Bacon Creek to East Boundary, Whatcom and Skagit Counties, Washington (FHWA-WAFP-EIS-77-02-D).....	LO1	K
D-FHW-L40074-WA.....	West Seattle Bridge, Spokane Street Corridor, WA-99 to Delridge Way, Seattle, King County, Washington (FHWA-WA-EIS-78-06-D).....	ER2	K
D-FHW-L40075-WA.....	WA-151, Chelan Station to Hugo, Chelan and Douglas Counties, Washington (FHWA-WA-EIS-78-05-D).....	ER2	K
GENERAL SERVICES ADMINISTRATION			
D-GSA-J81004-CO.....	Development of the Denver Federal Center, Lakewood, Jefferson County, Colorado.....	LO1	I
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			
D-HUD-D85016-VA.....	Dale City Subdivision, Prince William County, Virginia.....	ER2	D
D-HUD-E85041-TN.....	Schubert and Sterchi Subdivision, Knoxville, Knox County, Tennessee (HUD-R04-EIS-78-07D).....	ER2	E
D-HUD-E89010-NC.....	Downtown Urban Renewal Area, Burlington, Alamance County, North Carolina (HUD-R04-EIS-78-08-D).....	LO2	E
D-HUD-F85040-IL.....	Fox Valley Villages, Aurora, Kane and Du Page Counties, Illinois	EU2	F
D-HUD-F85042-OH.....	Herber C. Huber, Montgomery County, Ohio	EU2	F
D-HUD-G85124-LA.....	Dogwood Park Phase II Subdivision, Haughton, Bossier, Parish, Louisiana.....	ER2	G
D-HUD-G85127-TX.....	Sundown Subdivision, Harris County, Texas.....	LO2	G
D-HUD-G85130-TX.....	Village Creek West Subdivision, Harris County, Texas.....	LO1	G
D-HUD-G85131-TX.....	Brays Village East Subdivision, Harris County, Texas.....	LO2	G
D-HUD-K85024-CA.....	Marina/Columbia Residential Development, San Diego County, California.....	ER2	J
D-HUD-K89027-CA.....	Laurel West Planned Unit Development, Salina, Monterey County, California.....	LO2	J
D-HUD-K89028-CA.....	Proposed Adams Normandie 4321 Redevelopment Project, Los Angeles County, California.....	LO2	J
INTERSTATE COMMERCE COMMISSION			
D-ICC-A53046-00.....	Burlington and Northern Inc., Control and Merger, St. Louis and San Francisco Railway, (Finance Docket 28583).....	LO1	A
NATIONAL CAPITAL PLANNING COMMISSION			
DS-NCP-D61005-DC.....	Washington, D.C. Civic Center, Modifications, Washington, D.C.....	LO1	D
NUCLEAR REGULATORY COMMISSION			
D-NRC-K06002-CA.....	San Onofre Nuclear Generating Station, Units 2 and 3, Southern California Edison Company, San Diego Gas and Electric Company, San Diego County, California.....	ER2	J
DEPARTMENT OF STATE			
D-STA-A82102-00.....	Foreign Narcotics Control in Mexico	3	A
U.S. POSTAL SERVICE			
D-UPS-K81007-CA.....	San Jose Post Office Expansion Project, Santa Clara County, California.....	LO1	J

Appendix II—Definitions of Codes for the General Nature of EPA Comments**Environmental Impact of the Action****LO—Lack of Objection**

EPA has no objections to the proposed action as described in the draft impact statement; or suggests only minor changes in the proposed action.

ER—Environmental Reservations

EPA has reservations concerning the environmental effects of certain aspects of the proposed action. EPA believes that further study of suggested alternatives or modifications is required and has asked the originating Federal agency to reassess these impacts.

EU—Environmentally Unsatisfactory

EPA believes that the proposed action is unsatisfactory because of its potentially

harmful effect on the environment.

Furthermore, the Agency believes that the potential safeguards which might be utilized may not adequately protect the environment from hazards arising from this action. The Agency recommends that alternatives to the action be analyzed further (including the possibility of no action at all).

Adequacy of the Impact Statement**Category 1—Adequate**

The draft impact statement adequately sets forth the environmental impact of the proposed project or action as well as alternatives reasonably available to the project or action.

Category 2—Insufficient Information

EPA believes that the draft impact

statement does not contain sufficient information to assess fully the environmental impact of the proposed project or action. However, from the information submitted, the Agency is able to make a preliminary determination of the impact on the environment. EPA has requested that the originator provide the information that was not included in the draft statement.

Category 3—Inadequate

EPA believes that the draft impact statement does not adequately assess the environmental impact of the proposed project or action, or that the statement inadequately analyzes reasonable available alternatives. The Agency has requested more information and analysis concerning the potential environmental hazards and has asked that substantial revision be made to the impact statement.

Appendix III—Final Environmental Impact Statements for Which Comments Were Issued Between Feb. 1, 1979, and Feb. 28, 1979

Identifying No.	Title	General nature of comments	Source for copies of comments
CORPS OF ENGINEERS			
F-COE-C30002-NY.....	Atlantic Coast of New York City from Rockaway Inlet to Norton Point, Coney Island Area, Kings County, New York.	EPA's concerns were adequately addressed in the final EIS. However, EPA has requested that a supplemental EIS be prepared to address the consistency for the proposals with the most current research and management plans.	C
F-COE-C36001-FL.....	Hendry County Central and Southern Florida Flood Control Project.	EPA continues to have some reservations about the long-term environmental consequences of this type of activity. The basic issues raised in the draft statement are only qualitatively and/or incompletely addressed. The water quality information in appendix A does not contain any information on pesticides, herbicides or heavy metals. Information on runoff/flow through on runoff/flow through of these potentially dangerous materials as well as their impact on overall water quality is important.	E
F-COE-C32038-OH.....	Cleveland Harbor Navigation Project, Cuyahoga County, Ohio.	In general EPA's concerns were adequately addressed in the final EIS.....	F
F-COE-C36019-IL.....	Mississippi River Flood Control, Moline Illinois.....	EPA's concerns were adequately addressed in the final EIS.....	F
F-COE-C36054-MN.....	Rehabilitation, Mississippi River Locks and Dam Number 1, St. Paul, Minne, Minnesota.	EPA's concerns were adequately addressed in the final EIS.....	F
F-COE-H32002-00.....	Missouri river bank stabilization and navigation project, Sioux City, Iowa to the mouth of the river.	EPA has found the final EIS unresponsive to comments made on the draft EIS. The final EIS fails to provide a cumulative evaluation of the Missouri river system or a thorough discussion of the secondary impacts of the proposed actions.	H
F-COE-K36010-GU.....	Harbors and rivers in the territory of Guam, Agana River Flood Control Project, Agana River, Guam.	EPA's concerns were adequately addressed in the final EIS.....	J
DEPARTMENT OF AGRICULTURE			
F-AFS-K65027-CA.....	Medicine Lake planning unit, MODOC, Shasta Trinity and Klamath National Forest, California.	EPA's concerns were adequately addressed in the final EIS.....	J
F-AFS-L61066-OR.....	John Day Planning Unit, Malheur and Umatilla National Forest, Oregon (FS-R6-DES-ADM-76-3).	Generally the final EIS satisfactorily responded to EPA, however, there were a few instances in which EPA's concerns were not adequately discussed in the final EIS. Specifically, EPA believes the water quality monitoring program should be described in sufficient detail to allow assessment of its adequacy in detecting undesirable impacts. Also, EPA reiterated other concerns.	K
F-AFS-L61081-OR.....	Bull Run Planning Unit, Land Use Plan, Mt. Hood National Forest, Clackamas, Multnomah and Hood River Counties, Oregon (FS-R-FES (ADM)-76-16).	EPA's concerns were adequately addressed in the final EIS.....	K
DEPARTMENT OF ENERGY			
F-DOE-F08006-MN.....	500 KV Transmission Line, Minnesota to Canada ...	EPA's concerns were adequately addressed in the final EIS.....	F
F-DOE-G03010-00.....	Strategic petroleum reserve, Texoma Group Salt Domes, Cameron and Calcasieu Parishes, Louisiana and Jefferson County, Texas.	EPA continues to have environmental reservations with this segment of the strategic petroleum reserve in regard to the proposed brine disposal and discharge and has asked DOE to consider other alternatives that include brine dilution prior to ocean discharge. Also, in view of the recent blowout and spill at the West Hackberry SPR site, EPA is asking that completed spill prevention control and countermeasure plans (SPCC) be submitted before filling begins at the expansion site.	G
DEPARTMENT OF INTERIOR			
F-BLM-L65042-OR.....	Vegetation management with herbicides, western Oregon forests 1978 through 1987, Oregon.	EPA's concerns were adequately addressed in the final EIS.....	K

Appendix III—Final Environmental Impact Statements for Which Comments Were Issued Between Feb. 1, 1979, and Feb. 28, 1979—Continued

Identifying No.	Title	General nature of comments	Source for copies of comments
F-NPS-E61024-FL	General management plan for Biscayne National Monument, Florida.	Generally, EPA's concerns were adequately addressed in the final EIS. However, the research studies on the effects of spear fishing should be given first priority to determine whether it will be necessary to regulate or prohibit this activity. Until results prove otherwise, EPA suggests it would be prudent to curtail this "consumptive" form of recreation. Also, since the Coral Reefs could be critically damaged by sewage discharges, it is EPA's contention that holding tanks should be provided for concessionaire tour boats.	E
DEPARTMENT OF TRANSPORTATION			
F-FAA-K51006-TT	Kosrae Airport and Harbor Project, Trust Territories of the Pacific Islands.	EPA's concerns were adequately addressed in the final EIS.	J
F-FHW-F40098-MN	I-494, Bloomington to St. Paul, Minnesota	EPA's concerns were adequately addressed in the final EIS.	F
F-FHW-F40109-MI	I-275 and Veno Road, reconstruction, MI-153, Ford Road, Wayne County, Michigan.	EPA reiterated several of its concerns stated in the comments on the draft EIS and believes the issues were not adequately discussed in the final EIS.	F
F-FHW-F40126-MI	MI-20 bridge replacement over the Muskegon River, Big Rapids, Mecosta County, Michigan.	EPA did not have an opportunity to review the draft EIS. However, EPA has no objections to the project as proposed. In addition, EPA made several comments.	F
F-FHW-G40061-TX	Loop 1604, I-10 to Babcock Road, Bexar County, Texas.	The project is located on the Edwards Aquifer Recharge Zone, which is a sole source water supply for the city of San Antonio. EPA's review shows that adequate techniques will be offered, including monitoring of construction, to assure protection of the Aquifer. Contamination is not likely to occur as a result of this project. However, because of the sensitivity of the recharge zone, we express environmental reservations. This determination is made to draw attention to the project and assure that mitigative construction is incorporated, including the monitoring thereof.	D
F-FHW-D40033-M	Arundel Expressway, MD-648 to MD-100, Anne Arundel County, Maryland.	EPA had environmental Reservations on the project as proposed and believes the proposed mitigation is not acceptable. EPA is concerned about the Impacts to the Marley Creek Aquatic System and suggests several modifications to be explored prior to the section 404 application phase.	D
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			
F-HUD-C85021-NJ	Terrestria planned unit development, Stone Bridge Run, Gloucester Township, Camden County, New Jersey.	EPA's concerns were adequately addressed in the final EIS. However, EPA would be concerned if water supplies were derived from a source other than that stated in the final EIS.	C
F-HUD-K85018-HI	Makakilo, EWA, OAHU, Subdivision development, Hawaii.	EPA's concerns were adequately addressed in the final EIS.	J
NUCLEAR REGULATORY COMMISSION			
FS-NRC-A00125-00	Programmatic, Floating Nuclear power plants, part III.	Generally, EPA's concerns were adequately addressed in the supplement to the final EIS. However, EPA intends to continue working closely with NRC.	A
VETERANS ADMINISTRATION			
F-VAD-D80004-DC	Nursing home care units, clinical facilities and underground parking garage, Washington, DC.	Generally, EPA's concerns were adequately addressed in the final EIS. EPA did, however, recommend that the VA actively pursue the transportation and carpooling/vanpooling suggestions made in the traffic and parking study performed for the project.	D

Appendix IV—Final Environmental Impact Statements Which Were Reviewed and Not Commented on Between Feb. 1, 1979, and Feb. 28, 1979

Identifying No.	Title	Source of review
CORPS OF ENGINEERS		
FS-COE-G35002-OK	Tulsa Urban Renewal Authority River Parks Project, Tulsa, Oklahoma	G
F-COE-G50004-AR	US 62 and AR-101, Norfolk Lake Highway Bridges, Baxter County, Arkansas.	G
DEPARTMENT OF AGRICULTURE		
F-AFS-G65028-TX	Sam Houston National Forest Plan, Walker, Montgomery and San Jacinto Counties, Texas	G
F-AFS-G65031-TX	Angelina National Forest, Jasper, Nagadoches and St. Augustine Counties, Texas.	G
F-AFS-J65078-MT	Logan Planning Unit, Land Management Plan, Flathead National Forest, Montana	I
F-REA-G07013-LA	Cajon Electric Coal-Fired Plant, Point Coupee Parish, Louisiana.	G
F-REA-H08001-NB	Nebraska Public Power District, 345 KV Transmission Facilities, Several Counties, Nebraska	H
F-REA-J08006-CO	Lake City to Creede, 115 KV Transmission Line, UTE Association, Inc., Colorado.	I
F-SCS-G36062-AR	Bois D'Arc Watershed, Little County, Texas	G
DEPARTMENT OF COMMERCE		
FS-NOA-B91007-00	Fishery Management Plan for the Atlantic Mackerel Fishery of the Northeast Atlantic Ocean for 1979	B
FS-NOA-B91008-00	Fishery Management Plan, Squid Fishery of the Northwest Atlantic Ocean, 1979	B

Appendix IV—Final Environmental Impact Statements Which Were Reviewed and Not Commented on Between Feb. 1, 1979, and Feb. 28, 1979—Continued

Identifying No.	Title	Source of review
DEPARTMENT OF INTERIOR		
F-IGS-J01017-WY	Coal Creek Mine, Campbell County, Wyoming	I
F-FHW-E40039-KY	Pikeville to Williamson Road, US-119 from Zebulon to Huddy, Pike County, Kentucky (FHWA-KY-EIS-74-09-F)	E
F-FHW-E40148-NC	Fayetteville Airport Connector to I-95, Cumberland County, North Carolina (FHWA-NC-EIS-78-04-F)	E
GENERAL SERVICES ADMINISTRATION		
F-GSA-B11003-RI	Disposal of surplus Federal Military Properties, Quonset Point Naval Air Station, Davisville Construction Battalion Center, Newport Naval Base, Newport County, Rhode Island.	B
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT		
F-HUD-G85078-TX	Clayton Subdivision, Harris County, Texas	G
F-HUD-G85110-TX	Pheasant Creek Subdivision, Fort Bend County, Texas	G
F-HUD-G85111-TX	Springfield Subdivision, Harris County, Texas	G
NUCLEAR REGULATORY COMMISSION		
F-NRC-E06008-TN	Watts Bar Nuclear Plant Units Nos. 1 and 2, Operation, Rhea County, Tennessee (Docket Nos. 50-390 and 50-391)	E
F-NRC-J01011-UT	MOAB Uranium Mill, Operation Grand County, Utah	I
TENNESSEE VALLEY AUTHORITY		
F-TVA-E08011-00	Cordova to Union to Browns Ferry, 500-KV Transmission Line, Union, Mississippi, Tennessee and Alabama	E

Appendix V—Regulations, Legislation and Other Federal Agency Actions for Which Comments Were Issued Between Feb. 1, 1979, and Feb. 28, 1979

Identifying No.	Title	General nature of comments	Source for copies of comments
DEPARTMENT OF TRANSPORTATION			
A-FAA-K51015-CA	Oakdale Municipal Airport Development program, EPA has no comments to offer at this time and requested the opportunity to reviewed related NEPA documents.		J
NUCLEAR REGULATORY COMMISSION			
R-NRC-A00128-00	10 CFR 20, Standards for protection against radiation, burial of small quantities of radionuclides (43 FR 56677).	EPA has review the proposed rulemaking and has no comments to offer at this time	A

Appendix VI—Source for copies of EPA Comments

- A. Public Information Reference unit (PM-213) Environmental Protection Agency, Room 2922, Waterside Mall, SW., Washington, D.C. 20460.
- B. Director of Public Affairs, Region 1, Environmental Protection Agency, John F. Kennedy Federal Building, Boston, Massachusetts 02203.
- C. Director of Public Affairs, Region 2, Environmental Protection Agency, 26 Federal Plaza, New York, New York 10007.
- D. Director of Public Affairs, Region 3, Environmental Protection Agency, Curtis Building, 6th and Walnut Streets, Philadelphia, Pennsylvania 19106.
- E. Director of Public Affairs, Region 4, Environmental Protection Agency, 345 Courtland Street, NE., Atlanta, GA 30308.
- F. Director of Public Affairs, Region 5, Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604.
- G. Director of Public Affairs, Region 6, Environmental Protection Agency, 1201 Elm Street, Dallas, Texas 75270.

H. Director of Public Affairs, Region 7, Environmental Protection Agency 1735 Baltimore Street, Kansas City, Missouri 64108.

I. Director of Public Affairs, Region 8, Environmental Protection Agency, 1860 Lincoln Street, Denver, Colorado 80203.

J. Office of External Affairs, Region 9, Environmental Protection Agency, 213 Fremont Street, San Francisco, California 94108.

K. Director of Public Affairs, Region 10, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101.

[FR Doc. 80-12180 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1470-2]

Approval of Alternate Water Pollutant Testing Procedure; Chemical Oxygen Demand (COD)

In accordance with § 136.5, 40 CFR Part 136, "Guidelines Establishing Test Procedures for the Analysis of Pollutants" (FR Vol. 41, No. 232, Wednesday, December 1, 1976, pp.

52780-52786), the Hach Chemical Company applied for approval of an alternate test procedure for the measurement of COD. The new procedure incorporates a modification of the digestion technique of the approved procedure in that it uses a semi-micro volume of sample and reagents in a capped vial with reflux digestion performed in an oven.

After a thorough review and evaluation by the U.S. Environmental Protection Agency (EPA) of the results of comparability testing studies and other information submitted by the applicant, in accordance with § 136.5, the EPA has designated the Hach procedure as an approved alternate test procedure for nationwide use. All information submitted by the applicant is on file and available for public inspection, to the extent consistent with 40 CFR Part 2 (EPA's regulation implementing the Freedom of Information Act), at the Environmental

Monitoring and Support Laboratory, 26 West St. Clair Street, Cincinnati, Ohio 45268.

As an approved alternate test procedure, the Hach procedure is acceptable for use by any person required to use approved procedures under § 304(h) of the Clean Water Act Amendments of 1977. For such use, the procedure must be used in strict accordance with the method description, Oxygen Demand, Chemical; Reaction Digestion Method, Water Analysis Handbook, pp. 2-166-2-170, 1979 edition.

The approved method descriptions and prepackaged reagents are available from the Hach Chemical Company, Post Office Box 389, Loveland, Colorado 80537.

Dated: April 14, 1980.

Stephen J. Gage,

Assistant Administrator for Research and Development.

[FR Doc. 80-12172 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1468-1]

Approval of PSD Permit to International Business Machines Corp.

Notice is hereby given that on January 16, 1980, the Environmental Protection Agency (EPA), Region II Office, issued a Prevention of Significant Air Quality Deterioration (PSD) permit to the International Business Machines Corporation (IBM) for approval to modify facilities at their Poughkeepsie, New York plant. These facilities consist of several tools, testers, a chip joint furnace, six chemical storage tanks, spray booths, soldering operations, degreasers, pumps and miscellaneous equipment. This permit has been issued under EPA's PSD regulations codified at 40 CFR 52.21 (43 FR 26388, June 19, 1978) applicable to electronic computing equipment manufacturing plants subject to certain conditions, including:

1. IBM shall comply with the limitations described in their New York State Department of Environmental Conservation permits to construct. All violations of the permit conditions shall be submitted to the EPA within 5 days of such events; additional measures may be taken by the EPA to correct the violations;
2. IBM shall comply with all other applicable federal, state and local regulations.

This PSD permit is final agency action under the Clean Air Act (the Act) which is locally or regionally applicable. Under Section 307 (b)(1) of the Act, judicial review of this action may be had only in

the United States Court of Appeals for the appropriate circuit. Any petition for review must be filed on or before June 20, 1980.

Copies of the permit are available for public inspection upon request at the following locations:

Permits Administration Branch—Room 432, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10007, Attention: Mr. Kenneth Eng (212) 264-4411.

Region 3 Office, New York State Department of Environmental Conservation, 21 South Putt Corners Road, New Paltz, New York 12561, Attention: Mr. Neil Isabelle, (914) 255-5453.

Dated March 24, 1980.

Charles S. Warren,

Regional Administrator.

[FR Doc. 80-12143 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1467-8]

Approval of PSD Permit to Nabisco, Inc.

Notice is hereby given that on December 5, 1979, the Environmental Protection Agency (EPA), Region II Office, issued a Prevention of Significant Air Quality Deterioration (PSD) permit to Nabisco, Incorporated for approval to construct and operate a new wheat unloading facility at their Niagara Falls, New York plant. This permit has been issued under EPA's PSD regulations codified at 40 CFR 52.21 (43 FR 26388, June 19, 1978) applicable to cereal manufacturing plants subject to certain conditions, including:

1. Nabisco shall meet all the specifications contained in their August 9, 1979, PSD permit application;
2. Nabisco shall comply with all the requirements of the New York State Implementation Plan;
3. Nabisco shall comply with all other applicable federal, state and local requirements.

This PSD permit is final agency action under the Clean Air Act (the Act) which is locally or regionally applicable. Under Section 307(b)(1) of the Act, judicial review of this action may be had only in the United States Court of Appeals for the appropriate circuit. Any petition for review must be filed on or before June 20, 1980.

Copies of the permit are available for public inspection upon request at the following locations:

Permits Administration Branch—Room 432, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10007, Attention: Mr. Kenneth Eng, (212) 264-4711.

Region 9 Office, New York State Department of Environmental Conservation, 584 Delaware Avenue, Buffalo, New York 14202, Attention: Mr. Stan Gubner (716) 842-3810.

Dated: March 24, 1980.

Charles S. Warren,

Regional Administrator.

[FR Doc. 80-12144 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1467-7]

Approval of PSD Permit to Armstrong Cork Co., Inc.

Notice is hereby given that on November 26, 1979, the Environmental Protection Agency (EPA), Region II Office, issued a Prevention of Significant Air Quality Deterioration (PSD) permit to the Armstrong Cork Company, Inc. (ACC) for approval to construct and operate two new pneumatic conveying systems at their Volney, New York plant. This permit has been issued under EPA's PSD regulations codified at 40 CFR 52.21 (43 FR 26388, June 19, 1978) applicable to building paper and board plants subject to certain conditions, including:

1. ACC shall comply with the specifications described in their July 23, 1979, PSD permit application;
2. ACC shall comply with all requirements of the New York State Implementation Plan and with all other applicable federal, state and local requirements.

This PSD permit is final agency action under the Clean Air Act (the Act) which is locally or regionally applicable. Under Section 307(b)(1) of the Act, judicial review of this action may be had only in the United States Court of Appeals for the appropriate circuit. Any petition for review must be filed on or before June 20, 1980.

Copies of the permit are available for public inspection upon request at the following locations:

Permits Administration Branch—Room 432, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10007, Attention: Mr. Kenneth Eng (212) 264-4711.

Region 7 Office, New York State Department of Environmental Conservation, 7481 Henry Clay Boulevard, Liverpool, New York 13088, Attention: Mr. Clair Fancy (315) 473-8305.

Dated: March 24, 1980.

Charles S. Warren,

Regional Administrator.

[FR Doc. 80-12145 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1467-6]

Approval of PSD Permit to Anheuser Busch, Inc.

Notice is hereby given that on January 31, 1980, the Environmental Protection Agency (EPA), Region II Office, issued a Prevention of Significant Air Quality Deterioration (PSD) permit to Anheuser-Busch, Incorporated (ABI) for approval to modify and operate a brewery it intends to purchase from the Joseph Schlitz Brewing Company in Onondaga County, New York. Specifically, the modifications include the addition of two mash tubs, one lauter tub, two hop strainers, one hot wort settling tank, two wort aerators, one rice transfer system, one rice milling system, one malt milling system, one rice cleaning system and seven storage bins. This permit has been issued under EPA's PSD regulations codified at 40 CFR 52.21 (43 FR 26388, June 19, 1978) applicable to breweries subject to certain conditions, including:

1. ABI shall meet all the specifications described in their December 14, 1979, PSD permit application;
2. (ABI) shall meet all applicable requirements under the New York State Implementation Plan and all other applicable federal, state and local requirements.

This PSD permit is final agency action under the Clean Air Act (the Act) which is locally or regionally applicable. Under Section 307(b)(1) of the Act, judicial review of this action may be had only in the United States Court of Appeals for the appropriate circuit. Any petition for review must be filed on or before June 20, 1980.

Copies of the permit are available for public inspection upon request at the following locations:

Permits Administration Branch—Room 432, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10007, Attention: Mr. Kenneth Eng (212) 264-4711.

Region 7 Office, New York State Department of Environmental Conservation, 7481 Henry Clay Boulevard, Liverpool, New York 13088, Attention: Mr. Clair Fancy (315) 473-8305.

Dated: March 24, 1980.

Charles S. Warren,
Regional Administrator.

[FR Doc. 80-12146 Filed 4-18-80; 8:45 am]
BILLING CODE 6560-01-M

[FRL 1468-8]

Approval of PSD Permit to Diamond Crystal Salt Co.

Notice is hereby given that on January 21, 1980, the Environmental Protection Agency (EPA), Region II Office, issued a

Prevention of Significant Air Quality Deterioration (PSD) permit to the Diamond Crystal Salt Company (DCS) for approval to construct and operate a new salt drying and bagging facility at their Port Newark, New Jersey Plant. This permit has been issued under EPA's PSD regulations codified at 40 CFR 52.21 (43 FR 26388, June 19, 1978) applicable to salt processing plants subject to certain conditions, including:

1. DCS shall comply with the specifications described in their June 22, 1979, PSD permit application;
2. DCS shall limit operation of the subject facilities to no more than 8 hours per day, 5 days per week for 8 months of each year and 16 hours per day, 5 days per week for the remaining 4 months of each year;
3. DCS shall comply with all requirements of the New Jersey State Implementation Plan and with all other applicable federal, state and local requirements.

This PSD permit is final agency action under the Clean Air Act (the Act) which is locally or regionally applicable. Under Section 307(b)(1) of the Act, judicial review of this action may be had only in the United States Court of Appeals for the appropriate circuit. Any petition for review must be filed on or before June 20, 1980.

Copies of the permit are available for public inspection upon request at the following locations:

Permits Administration Branch—Room 432, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10007, Attention: Mr. Kenneth Eng (212) 264-4711.

Bureau of Air Pollution Control, Newark Field Office, New Jersey Department of Environmental Protection, 1110 Raymond Boulevard, 5th Floor, Newark, New Jersey 07102, (201) 648-2075.

Dated: March 24, 1980.

Charles S. Warren,
Regional Administrator.

[FR Doc. 80-12147 Filed 4-18-80; 8:45 am]
BILLING CODE 6560-01-M

[FRL 1469-1]

Approval of PSD Permit to Ingersoll-Rand Co.

Notice is hereby given that on December 12, 1979, the Environmental Protection Agency (EPA), Region II Office, issued a Prevention of Significant Air Quality Deterioration (PSD) permit to the Ingersoll-Rand Company (IR) for approval to construct and operate a new sandblast booth at their Phillipsburg, New Jersey plant. This permit has been issued under EPA's PSD regulations

codified at 40 CFR 52.21 (43 FR 26388, June 19, 1978) applicable to secondary metal production plants subject to certain conditions, including:

1. IR shall meet the specifications contained in their August 24, 1979, PSD permit application;
2. IR shall comply with the particulate matter emission limitation(s) contained in the New Jersey State Implementation Plan;
3. IR shall comply with all other applicable federal, state and local requirements.

This PSD permit is final agency action under the Clean Air Act (the Act) which is locally or regionally applicable. Under Section 307(b)(1) of the Act, judicial review of this action may be had only in the United States Court of Appeals for the appropriate circuit. Any petition for review must be filed on or before June 20, 1980.

Copies of the permit are available for public inspection upon request at the following locations:

Permits Administration Branch—Room 432, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10007, Attention: Mr. Kenneth Eng (212) 264-4711.

Bureau of Air Pollution Control, Metropolitan Field Office, New Jersey Department of Environmental Protection, 1259 Route 46, Building 3, Parsippany, New Jersey 07054 (201) 648-2560.

Dated: March 24, 1980.

Charles S. Warren,
Regional Administrator.

[FR Doc. 80-12148 Filed 4-18-80; 8:45 am]
BILLING CODE 6560-01-M

[FRL 1469-2]

Approval of PSD Permit to Caribbean Gulf Refining Corp.

Notice is hereby given that on November 26, 1979, the Environmental Protection Agency (EPA), Region II Office, issued a Prevention of Significant Air Quality Deterioration (PSD) permit to the Caribbean Gulf Refining Corporation (CGR) for approval to construct a new fluid catalytic cracking unit and to modify several other pieces of equipment Fluid Catalytic Cracking unit Modernization Program (FCCUMP) at their Bayamon, Puerto Rico plant. This permit has been issued under EPA's PSD regulations codified at 40 CFR 52.21 (43 FR 26388, June 19, 1978) applicable to petroleum refineries subject to certain conditions, including:

1. CGR shall operate a monitoring program for the pollutant nitrogen oxides concurrently with the commencement of the FCCUMP. Data

shall be submitted to the EPA on a monthly basis and must include the two maximum hourly concentrations for each month. At least 4 months of valid data must be submitted prior to commencement of operation of the project. If violation of any applicable ambient air quality standards are documented, CGR will have to comply with the requirements of the Emission Offset Policy (40 CFR 51.18);

2. CGR shall notify the EPA of the anticipated dates and actual dates of commencement of construction on an commencement of operation of the FCCUMP;
3. CGR shall comply with the requirements contained in their complete PSD permit application and the Puerto Rico Environmental Quality Board permits to construct; notification of all violations of the permit requirements shall be submitted to the EPA within 5 days of such an event;
4. CGR shall comply with all other applicable federal, state, and local requirements.

This PSD permit is final agency action under the Clean Air Act (the Act) which is locally or regionally applicable. Under Section 307(b)(1) of the Act, judicial review of this action may be had only in the United States Court of Appeals for the appropriate circuit. Any petition for review must be filed on or before June 20, 1980.

Copies of the permit are available for public inspection upon request at the following locations:

Permits Administration Branch—Room 432, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10007, Attention: Mr. Kenneth Eng, (212) 264-4711.

Community Relations Office, Puerto Rico Environmental Quality Board, Calle Del Parque, Numero 204, Library-Apartado 11488, Santurce, Puerto Rico 00910, Attention: Mr. Ismael Zapater (809) 722-4868.

Dated: March 24, 1980.

Charles S. Warren,
Regional Administrator.

[FR Doc. 80-12149 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1468-4]

Approval of PSD Permit to Witco Chemical Corp.

Notice is hereby given that on January 14, 1980, the Environmental Protection Agency (EPA), Region II Office, issued a Prevention of Significant Air Quality Deterioration (PSD) permit to Witco Chemical Corporation (WCC) for approval to expand an existing

polyester manufacturing unit at their Perth Amboy, New Jersey plant. This permit has been issued under EPA's PSD regulations codified at 40 CFR 52.21 (43 FR 26388, June 19, 1978) applicable to chemical process plants subject to certain conditions, including:

1. WCC shall comply with the specifications described in their June 22, 1979, PSD permit application;
2. WCC shall limit operation of their adipic feeder hopper to no more than 1.5 hours per day;
3. WCC shall comply with all requirements of the New Jersey State Implementation Plan and with all other federal, state and local requirements.

This PSD permit is final agency action under the Clean Air Act, (the Act) which is locally or regionally applicable. Under Section 307(b)(1) of the Act, judicial review of this action may be had only in the United States Court of Appeals for the appropriate circuit. Any petition for review must be filed on or before June 20, 1980.

Copies of the permit are available for public inspection upon request at the following locations:

Permits Administration Branch—Room 432, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10007, Attention: Mr. Kenneth Eng (212) 264-4711.

Bureau of Air Pollution Control, Central Field Office, New Jersey Department of Environmental Protection, John Fitch Plaza, P.O. Box CN027, Trenton, New Jersey 08625 (609) 292-6706.

Dated: March 24, 1980.

Charles S. Warren,
Regional Administrator.

[FR Doc. 80-12150 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[OPP-50471; FRL 1470-6]

Issuance of Experimental Use Permits

AGENCY: Environmental Protection Agency.

ACTION: Notice.

SUMMARY: EPA has issued experimental use permits for certain chemicals to be used in experimental programs conducted by various companies.

SUPPLEMENTARY INFORMATION: The EPA issued experimental use permits to the following applicants. Such permits are in accordance with, and subject to, the provisions of 40 CFR Part 172, which defines EPA procedures with respect to the use of pesticides for experimental purposes, and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended in 1972, 1975, and 1978 (92 Stat. 819; 7 U.S.C. 136).

No. 2458-EUP-2. Research Products Company, Saline, KS 67401. This experimental use permit allows the use of 339.85 pounds of the fumigant aluminum phosphide in or on the raw agricultural commodities corn, soybeans, and wheat to evaluate control of *S. oryzae*, *R. dominica*, and *T. confusum*. The permit involves treatment of an unspecified number of ship holds containing bulk grains. This program is authorized only in the States of Alabama, California, Connecticut, Delaware, Florida, Georgia, Louisiana, Maryland, Massachusetts, Minnesota, Mississippi, New Jersey, New York, North Carolina, Oregon, Rhode Island, South Carolina, Texas, Virginia, and Washington. The experimental use permit is effective from April 1, 1980 to March 31, 1981. A permanent tolerance for residues of the active ingredient has been established [40 CFR 188.225]. (PM-16, William H. Miller, Room: E-343, Telephone: 202/426-9458)

No. 464-EUP-57. Dow Chemical Co., Midland, MI 48640. This experimental use permit allows the use of 231 gallons of the insecticide chlorpyrifos on cotton to evaluate control of boll weevil and boll worms. A total of 400 acres are involved; the program is authorized only in the State of Mississippi. The experimental use permit is effective from May 1, 1980 to May 1, 1981. A permanent tolerance for the active ingredient has been established [40 CFR 180.342]. (PM-12, Charles T. Mitchell, Room: E-303, Telephone: 202/426-2635)

No. 239-EUP-89. Chevron Chemical Co., Richmond, CA 94804. This experimental use permit allows the use of 125 pounds of the insecticide acephate for evaluation of pest control in and on structures and their immediate surroundings. This program is authorized only in the States of Arizona, California, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Massachusetts, Mississippi, Missouri, New Jersey, North Carolina, Ohio, Oklahoma, Oregon, Tennessee, Texas, Virginia, and Washington. The experimental use permit is effective from February 21, 1980 to February 21, 1981. This permit is being renewed under the condition that all exposed food at treatment sites in food handling establishments will be destroyed or used for research purposes only. (PM-16, William H. Miller, Room: E-343, Telephone: 202/426-9458)

No. 7969-EUP-9. BASF Wyandotte Corporation, Parsippany, NJ 07054. This experimental use permit allows the use of 289.4 pounds of the plant growth regulator N,N-dimethyl-piperidinium chloride on cotton to evaluate

modification of cotton plant growth. A total of 4,383 acres are involved. The program is authorized only in the States of Alabama, Arkansas, Arizona, California, Georgia, Louisiana, Mississippi, Missouri, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas. This experimental use permit is effective from March 25, 1980 to March 25, 1981. The temporary tolerances for residues of the active ingredient in or on cotton forage, cottonseed, milk, eggs and in meat, fat and meat byproducts of cattle, goats, hogs, horses, poultry, and sheep have been established. (PM-25, Robert J. Taylor, Room: E-301, Telephone: 202/755-2196)

Persons wishing to review the experimental use permits are referred to the designated Product Manager (PM), Registration Division (TS-767), Office of Pesticide Programs, EPA, 401 M Street, S.W., Washington, D.C. 20460. Inquires regarding this permit should be directed to the contact person given above. It is suggested that interested persons call before visiting the EPA Headquarters Office so that the appropriate file may be made available for inspection from 8:00 a.m. to 4:00 p.m. Monday through Friday, excluding holidays.

(Sec. 5, 92 Stat. 819 as amended, (7 U.S.C. 136))

Dated: April 15, 1980.

Douglas D. Camp,
Director, Registration Division, Office of
Pesticide Programs.

[FR Doc. 80-12159 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[OPTS-00010; FRL 1469-7]

Interagency Toxic Substances Data Committee; Cancellation of Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The May meeting of the Interagency Toxic Substances Data Committee has been cancelled.

FOR FURTHER INFORMATION CONTACT: Nan Fremont, (TS-793), Executive Secretary, Interagency Toxic substances Data Committee, Office of Pesticide and Toxic Substances, Environmental Protection Agency, 401 M Street, S.W., Washington, DC 20460.

SUPPLEMENTARY INFORMATION: The regular meetings of the Interagency Toxic Substances Data Committee take place on the first Tuesday of each month at 9:30 a.m. and are open to the public. The meetings are held in: Room 2010, New Executive Office Building, 17th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20006.

The May meeting has been cancelled. The next meeting of the Interagency Toxic substances Data Committee will take place on June 3, 1980.

Dated: April 15, 1980.

Nan Fremont,

Executive Secretary, Interagency Toxic Substances Data Committee.

[FR Doc. 80-12158 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[OPTS-53012; FRL 1469-4]

Premanufacture Notices Status Report for March 1980

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(d)(3) of the Toxic Substances Control Act (TSCA) requires EPA to publish a list in the Federal Register at the beginning of each month reporting the premanufacture notices (PMN's) pending before the Agency and the PMN's for which the review period has expired since publication of the last monthly summary. This is the report for March, 1980.

DATE: Written comments are due no later than 30 days before the applicable notice review period ends on a specific chemical substance.

ADDRESS: Written comments to: Document Control Officer (TS-793), Office of Pesticides and Toxic Substances, Environmental Protection Agency, 401 M St., SW, Washington, DC 20460, 202-755-8050.

FOR FURTHER INFORMATION CONTACT: Paige Beville, Premanufacturing Review Division (TS-794), Office of Pesticides and Toxic substances, Environmental Protection Agency, 401 M St., SW, Washington, DC 20460, 202-426-8816.

SUPPLEMENTARY INFORMATION: Section 5(a)(1) of TSCA requires any person who intends to manufacture or import a new chemical substance to submit a PMN to EPA at least 90 days before manufacture or import. A "new"

chemical substance is any substance that is not on the Inventory of existing substances compiled by EPA under Section 8(b) of TSCA. EPA first published the Initial Inventory on June 1, 1979. Notice of availability of the Initial Inventory was published in the Federal Register on May 15, 1979 (44 FR 28558). The requirement to submit PMN's for new chemical substances manufactured or imported for commercial purposes became effective on July 1, 1979.

EPA has 90 days to review a PMN once the Agency receives it (section 5(a)(1)). The section 5(d)(2) Federal Register notice indicates the date when the review period ends for each PMN. Under section 5(c), EPA may, for good cause, extend the review period up to an additional 90 days. If EPA determines that an extension is necessary, it will publish a notice in the Federal Register.

The monthly status report required under section 5(d)(3) will identify: (a) PMN's received during the month; (b) PMN's received previously and still under review at the end of the month; (c) PMN's for which the notice review period has ended during the month; and (d) Chemical substances that EPA has added to the Inventory during the month.

Therefore, under TSCA (Sec. 5, 90 Stat. 2012 (15 U.S.C. 2604)), EPA is publishing the status of PMN's for March, 1980.

Interested persons may submit written comments on the specific chemical substance no later than 30 days before the applicable notice review period ends to the Document Control Officer (TS-793), Rm. E-447, Office of Pesticides and Toxic Substances, 401 M St., SW, Washington, DC 20460. Three copies of all comments shall be submitted, except that individuals may submit single copies of comments. The comments are to be identified with the document control number [OPTS-53012] and the specific PMN number. Nonconfidential portions of the PMN's written comments received, and other documents in public record may be seen in the above office between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding holidays.

Dated: April 14, 1980.

Marilyn C. Bracken,
Deputy Assistant Administrator for Program
Integration and Information

PMN No.	Identity/generic name	FR Citation	Expiration date
I. Premanufacture Notices Received During the Month			
80-45	5-Carboxyhydroxy-(4-sulfonylphenyl)-heteromonocyclic-2, 4-pentadienylidene dihydroxy-(4-sulfonylphenyl) heteromonocycle carboxylic acid, tetra potassium salt.	45 FR 21023 (3/31/80)	June 2, 1980.
80-46	Generic name: Alkyl substituted phenol (received in February, 1980; completed in March 1980).	In preparation	June 19, 1980.
80-49	Generic name: Alkyl salicylaldehyde.	In preparation	June 4, 1980.
80-50	Polymer of: Methyl methacrylate, 2-hydroxyethyl methacrylate, 2-ethylhexyl acrylate, acrylamide.	45 FR 21023 (3/31/80)	June 5, 1980.
80-51	Polymer formed from phenol formaldehyde resin and diazoxonaphthalene sulfonfyl chloride.	45 FR 21023 (3/31/80)	June 5, 1980.
80-52	Generic name: Alkyl salicylaldehyde.	In preparation	June 8, 1980.
80-53	Polymer of: Ester diol 204, neopentyl glycol, isophthalic acid, tetrahydrophthalic anhydride, and trimellitic anhydride.	In preparation	June 9, 1980.
80-54	Polymer of: Supra castor fatty acid, tall oil fatty acid, isononanoic acid, phthalic anhydride, adipic acid, benzoic acid, and pentaerythritol.	In preparation	June 9, 1980.
80-55	Polymer of: Isononanoic acid, phthalic anhydride, maleic anhydride, and pentaerythritol.	In preparation	June 9, 1980.
80-56	Polymer of: Propylene glycol, neopentyl glycol, phthalic anhydride, trimethylolpropane, and empol 1022 dimeric fatty acid.	In preparation	June 9, 1980.
80-57	Generic name: Alkyl biphenyls.	In preparation	June 11, 1980.
80-59	Polymer of methyl methacrylate, methyl acrylate, styrene, 2-ethylhexyl acrylate, and 2-hydroxyethyl acrylate.	In preparation	June 17, 1980.
80-60	Polymer of butyl acrylate, 2-hydroxyethyl acrylate, methyl acrylate, and methyl methacrylate.	In preparation	June 17, 1980.
80-61	Polymer of acrylonitrile, butyl acrylate, methyl acrylate, and 2-hydroxyethyl acrylate.	In preparation	June 17, 1980.
80-62	Generic name: Polyester resin of aliphatic polyols, mixed aromatic diacids, and aliphatic diacid.	In preparation	June 17, 1980.
80-63	Generic name: Alkyl substituted cyclic peroxyketal.	In preparation	June 24, 1980.
80-64	Generic name: Alkyl substituted cyclic peroxyketal.	In preparation	June 24, 1980.
80-65	Poly(oxy(methyl-1,2-ethanediyl)), alpha-(di-3, 3'-carboxy-l-oxosulfonyl)-omega-2-propanol-1,1'-(l-methylethylidene) bis(4,l-phenoxy)bis-disodium salt.	In preparation	June 25, 1980.
80-66	Poly(oxy(methyl-1,2-ethanediyl)), alpha-(3,3'-dicarboxy-l-oxosulfonyl)-poly(oxy(methyl-1,2-ethanediyl))-hydroxy-C ₁₂₋₁₈ alkyl, disodium salt.	In preparation	June 25, 1980.
80-67	Generic name: Polymer of styrene, vinyl heteromonocycle, and vinyl(substituted) heteromonocyclic salt.	In preparation	June 26, 1980.
80-74	Generic name: Polyester.	In preparation	June 18, 1980.

II. Premanufacture Notices Received Previously and Still Under Review at the End of the Month

5AHQ-1279-0088	Generic name: Ring halogenated cyclic dicarboxylic salt.	45 FR 3967 (1/21/80)	Apr. 1, 1980.
5AHQ-0180-0096	Generic name: 3-Alkoxy(C ₁₂ -C ₁₄)-2-hydroxypropyl ester of dimer/trimer acids (fatty ester).	45 FR 3967 (1/21/80)	Apr. 1, 1980.
5AHQ-0180-0099	Fatty acid, tall oil, epoxidized mixed C ₇ -C ₈ alkyl ester.	45 FR 6999 (1/31/80)	Apr. 8, 1980.
5AHQ-0180-0032A	Neopentyl glycolcyclohexane-dimethanol-trimethylpropane-O-phthalate-adipate.	45 FR 6833 (1/30/80)	Apr. 15, 1980.
5AHQ-0180-0051A	Generic name: Diakyl (C ₁₂ -C ₁₄) substituted polycarboxylate.	45 FR 6833 (1/30/80)	Apr. 15, 1980.
5AHQ-0180-0105	Polyester with dipropylene glycol of byproduct from manufacture of the dimethyl ester of 1,4-benzenedicarboxylic acid.	45 FR 6833 (1/30/80)	Apr. 15, 1980.
5AHQ-0180-0111	Polymer of dehydrated castor oil, trimethylolthane, phthalic anhydride, and benzoic acid.	45 FR 12901 (2/27/80)	Apr. 28, 1980.
5AHQ-0180-0112	Generic name: Substituted-N-alkylquinoline.	45 FR 12906 (2/27/80)	Apr. 20, 1980.
5AHQ-0180-0113	Generic name: 1,2-Disubstituted-4,5-dimethoxybenzene.	45 FR 11902 (2/20/80)	Apr. 20, 1980.
5AHQ-0180-0114	Generic name: Substituted ketone pyran.	45 FR 12904 (2/27/80)	Apr. 20, 1980.
5AHQ-0180-0115	Generic name: Monosubstituted-4,5-dimethoxy phenyl ethanol.	45 FR 12900 (2/27/80)	Apr. 20, 1980.
5AHQ-0180-0116	Generic name: Monosubstituted-4,5-dimethoxy benzyl chloride.	45 FR 11898 (2/27/80)	Apr. 20, 1980.
5AHQ-0180-0117	Generic name: Tetrasubstituted quinoline.	45 FR 12909 (2/27/80)	Apr. 20, 1980.
5AHQ-0180-0118	Generic name: Tetrasubstituted-N-alkyl quinoline.	45 FR 12907 (2/27/80)	Apr. 20, 1980.
5AHQ-0180-0119	Generic name: Trisubstituted acetophenone.	45 FR 14925 (3/7/80)	Apr. 20, 1980.
5AHQ-0180-0128	Stearyl stearamide.	45 FR 11904 (2/20/80)	Apr. 21, 1980.
5AHQ-0180-0131	Anhydro 3,10-bis[2-(4-(3-pyridinio)-6-(2,5-disulfonylphenylamino)-1,3,5-triazin-2-ylamino) ethylamino]-6,13-dichloro-4,11-disulfotripheno-dioxazine dihydroxide, hexasodium salt.	45 FR 11903 (2/20/80)	Apr. 21, 1980.
5AHQ-0180-0133	1-p-Nitrobenzoyl-1-(4' carboxypyridyl) hydrazide.	45 FR 13531 (2/29/80)	Apr. 21, 1980.
5AHQ-0180-0134	Polymer of fumaric acid, isophthalic acid, adipic acid, neopentyl glycol, diethylene glycol, and propylene glycol.	45 FR 13529 (2/29/80)	Apr. 21, 1980.
5AHQ-0180-0034A	Generic name: Polymer of alkyl amino methacrylic acid ester, alkyl acrylate, and alkyl methacrylate.	45 FR 16007 (3/12/80)	Apr. 27, 1980.

II. Premanufacture Notices Received Previously and Still Under Review at the End of the Month—Continued

5AHQ-0180-0137	Copolymer of methacrylic acid and diacetone acrylamide.....	45 FR 12897 (2/27/80)	Apr. 28, 1980.
5AHQ-0280-0143	Polymer of: Epichlorohydrin; bisphenol A; <i>N</i> -methyl morpholine; acetic acid; and linseed fatty acid.	45 FR 12902 (2/27/80)	May 4, 1980.
5AHQ-0280-0144	Polymer of: Epichlorohydrin-Bis A; bisphenol A; <i>N</i> -methyl morpholine; and acetic acid.	45 FR 16006 (3/12/80)	May 4, 1980.
5AHQ-0280-0150	Generic name: Bis (substituted-6,6,6-triacryloyloxymethyl-4-oxahexyl)dimethyl-disubstituted heteromonocycle.	45 FR 16330 (3/13/80)	May 4, 1980.
5AHQ-0280-0154	Lithium ferrite	45 FR 15636 (3/11/80)	May 4, 1980.
5AHQ-0280-0158	<i>N</i> -(3,5-Dibromo-4-hydroxyphenyl) benzenesulfonamide.....	45 FR 13530 (2/29/80)	May 4, 1980.
5AHQ-0280-0129	Polymer of butyl acrylate, methyl methacrylate, hydroxyethyl methacrylate, hydroxyl propyl acrylate, and acrylic acid.	45 FR 16332 (3/13/80)	May 4, 1980.
5AHQ-0280-0159	Generic name: Chloro-organoamino-fluoran dye	45 FR 15644 (3/11/80)	May 10, 1980.
5AHQ-0280-0168	Generic name: Zinc salt of dialkyl dithiophosphate	45 FR 18477 (3/2/80)	May 13, 1980.
5AHQ-0280-0165	Generic name: Vegetable oil fatty acid ester	45 FR 18477 (3/2/80)	May 13, 1980.
5AHQ-0280-0174	Generic name: Alkyl ammonium salt of a halogen oxyacid.....	In preparation	May 20, 1980.
5AHQ-0280-0175	Generic name: Alkyl ammonium salt of a halogen oxyacid.....	In preparation	May 20, 1980.
5AHQ-0280-0176	Generic name: Substituted methyl propylamine disalt of <i>n</i> -alkane dicarboxylic acid.	In preparation	June 2, 1980.
5AHQ-0280-0181	Generic name: Alpha alkene copolymer with alpha alkene.....	In preparation	May 26, 1980.
5AHQ-0280-0182	Generic name: Alpha alkene copolymer with alpha alkene.....	In preparation	May 26, 1980.
5AHQ-0280-0183	Generic name: Alpha alkene copolymer with alpha alkene.....	In preparation	May 26, 1980.
5AHQ-0280-0184	Generic name: Alpha alkene copolymer with alpha alkene.....	In preparation	May 26, 1980.
5AHQ-0280-0018A	Generic name: Aromatic ether.....	In preparation	May 27, 1980.

III. Premanufacture Notices for Which the Notice Review Period Has Ended During the Month

5AHQ-1279-0039A	Polymer of styrene, 2-ethylhexyl methacrylate, isobutoxy-methyl acrylamide, dimethylaminopropyl methacrylamide.	45 FR 1675 (1/8/80)	Mar. 5, 1980.
5AHQ-1279-0076	Generic name: 4-Amino- <i>N</i> -substituted benzene sulfonamide.....	45 FR 1675 (1/8/80)	Mar. 9, 1980.
5AHQ-1279-0079	Polymer of phthalic anhydride, ethylene glycol, heptanol, and 2-ethylhexanol.	44 FR 76856 (12/28/79)	Mar. 12, 1980.
5AHQ-1279-0080	Polymer of phthalic anhydride, 1,2-propylene glycol, 1,4-butanediol, 1-octanol, and 1-decanol.	44 FR 76856 (12/28/79)	Mar. 12, 1980.
5AHQ-1279-0081	Polymer of phthalic anhydride, ethylene glycol, heptanol, 1-octanol, and 1-decanol.	44 FR 76856 (12/28/79)	Mar. 12, 1980.
5AHQ-1279-0082	Polymer of phthalic anhydride, 1,2-propylene glycol, 1,4-butanediol, and 2-ethylhexanol.	44 FR 76856 (12/28/79)	Mar. 12, 1980.
5AHQ-1279-0083	Polymer of phthalic anhydride, 1,3-butylene glycol, 1-octanol, and 1-decanol.	44 FR 76856 (12/28/79)	Mar. 12, 1980.
5AHQ-1279-0084	Polymer of phthalic anhydride, 1,3-butylene glycol, and 2-ethylhexanol.	44 FR 76856 (12/28/79)	Mar. 12, 1980.
5AHQ-1279-0077	Magnesium acrylate.....	45 FR 1674 (1/8/80)	Mar. 12, 1980.
5AHQ-1279-0057A	Polymer of 5-substituted-1,3-benzenedicarboxylic acid; ethylene glycol; and -caprolactone.	45 FR 2387 (1/11/80)	Mar. 17, 1980.
5AHQ-1279-0059A	Polymer of 5-substituted-1,3-benzenedicarboxylic acid; 1,4-cyclohexanedimethanol; ethylene glycol; -caprolactone; tolylene-2,4-diisocyanate; and 2-butenedioic acid.	45 FR 2387 (1/11/80)	Mar. 17, 1980.
5AHQ-1279-0060A	Polymer of 1,4-cyclohexane dimethanol and 2-butenedioic acid.	45 FR 2387 (1/11/80)	Mar. 17, 1980.
5AHQ-1279-0085	Generic name: Alkenyltrialkoxysilane	45 FR 2387	Mar. 17, 1980.
5AHQ-1279-0086	1,3-benzenedicarboxylic acid, a polymer with 2,2-dimethyl-1,3-propanediol; 2-ethyl-2-(hydroxymethyl)-1,3-propanediol; nonanoic acid; and 3a,4,7,7-tetrahydro-1,3-isobenzofurandione.	45 FR 2387 (1/11/80)	Mar. 17, 1980.
5AHQ-1279-0087	Generic name: Polyacrylate.....	45 FR 6159 (1/25/80)	Mar. 17, 1980.
5AHQ-1279-0089	Generic name: Amido amine.....	45 FR 2387 (1/11/80)	Mar. 26, 1980.

IV. New Chemical Substances That EPA Has Added to the Inventory During the Month: None

[FR Doc. 80-12157 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1467-5]

PSD Nonapplicability to Town of Tonawanda Sewage Sludge Incinerators

Notice is hereby given that on November 20, 1979, the Environmental Protection Agency (EPA), Region II

Office, issued a determination that the Town of Tonawanda proposal to construct two Nichols sewage sludge incinerators in Tonawanda, New York is not subject to the Prevention of Significant Air Quality Deterioration (PSD) regulations. This determination of non applicability has been issued under

EPA's PSD regulations (40 CFR 52.21) for the sewage treatment plant based upon our finding that all necessary preconstruction permits were issued for these facilities prior to March 1, 1978, and construction of these facilities commenced prior to March 19, 1979 (the PSD regulations apply to any new or modified sewage treatment plant with potential (uncontrolled) emissions of 250 tons per year or more of any pollutant regulated under the Clean Air Act (the Act) which did not obtain all necessary preconstruction permits prior to March 1, 1978).

This PSD determination is final agency action under the Act which is locally or regionally applicable. Under Section 307(b)(1) of the Act, judicial review of this action may be had only in the United States Court of Appeals for the appropriate circuit. Any petition for review must be filed on or before June 20, 1980.

Copies of the determination are available for public inspection upon request at the following location:

Permits Administration Branch—Room 432, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10007, attention: Mr. Kenneth Eng (212) 264-4711.

Dated: March 24, 1980.

Charles S. Warren,
Regional Administrator

[FR Doc. 80-12151 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1468-2]

PSD Nonapplicability to Johns-Manville Sales Corp.

Notice is hereby given that on January 30, 1980, the Environmental Protection Agency (EPA), Region II Office, issued a determination that the Johns-Manville Sales Corporation (JM) proposal to convert an oil-fired boiler to a coal-fired boiler at their Manville, New Jersey plant is not subject to the Prevention of Significant Air Quality Deterioration (PSD) regulations. This determination of non applicability has been issued under EPA's PSD regulations codified at 40 CFR 52.21 (43 FR 26388, June 19, 1978) for modifications to the asbestos material production plant (source) based upon our finding that the source qualified under one of the exemption provisions contained in the regulations. Specifically, in accordance with 40 CFR 52.21(b)(2)(ii)(d), if a source was capable

of accommodating an alternative fuel prior to January 6, 1975, and if there are no enforceable permit conditions limiting the source's use of such fuel, the source would not be PSD affected. Our findings are that the JM boiler was capable of burning coal as an alternative fuel prior to January 6, 1975, and there are no specific conditions contained in the source's New Jersey Department of Environmental Protection permit which prohibit the use of coal as a fuel.

This PSD determination is final agency action under the Act which is locally or regionally applicable. Under Section 307(b)(1) of the Act, judicial review of this action may be had only in the United States Court of Appeals for the appropriate circuit. Any petition for review must be filed on or before June 20, 1980.

Copies of the determination are available for public inspection upon request at the following location:

Permits Administration Branch—Room 432, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10007, attention: Mr. Kenneth Eng, (212) 264-4711.

Dated: March 24, 1980.

Charles S. Warren,

Regional Administrator.

[FR Doc. 80-12152 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1468-3]

PSD Nonapplicability to Saytech, Inc.

Notice is hereby given that on January 30, 1980, the Environmental Protection Agency (EPA), Region II Office, issued a determination that the Saytech, Incorporated proposal to construct a new tetrabromophthalic anhydride manufacturing (TAM) facility at their Sayreville, New Jersey plant is not subject to the Prevention of Significant Air Quality Deterioration (PSD) regulations. This determination of non applicability has been issued under EPA's PSD regulations (40 CFR 52.21) for

the chemical process plant based upon our finding that the baghouse associated with the TAM unit's hot air rotary dryer is process rather than control equipment and the projected potential (uncontrolled) particulate matter emissions (those emissions exiting the baghouse) were calculated to be approximately 16 tons per year (the PSD regulations apply to any new or modified chemical processing plant with potential emissions of 100 tons per year or more of any pollutant regulated under the Clean Air Act (the Act)).

This PSD determination is final agency action under the Act which is locally or regionally applicable. Under Section 307(b)(1) of the Act, judicial review of this action may be had only in the United States Court of Appeals for the appropriate circuit. Any petition for review must be filed on or before June 20, 1980.

Copies of the determination are available for public inspection upon request at the following location:

Permits Administration Branch, Room 432, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10007, attention: Mr. Kenneth Eng, (212) 264-4711.

Dated: March 24, 1980.

Charles S. Warren,

Regional Administrator.

[FR Doc. 80-12153 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1468-5]

PSD Nonapplicability to Scientific Chemical Processing, Inc.

Notice is hereby given that on October 22, 1979, the Environmental Protection Agency (EPA), Region II Office, issued a determination that the Scientific Chemical Processing, Inc. (SCP) proposal to construct stills numbered 22, 23, 24 and 25 at their Newark, New Jersey plant is not subject to the Prevention of Significant Air

Quality Deterioration (PSD) regulations. This determination of non applicability has been issued under EPA's PSD regulations (40 CFR 52.21) for the chemical process plant based upon our finding that each SCP still and its condenser is an enclosed system and the potential (uncontrolled) hydrocarbon emissions to the ambient air associated with the four stills were calculated to be approximately 0.4 tons per year (the PSD regulations apply to any new or modified chemical process plant with potential emissions of 100 tons per year or more of any pollutant regulated under the Clean Air Act (the Act)).

This PSD determination is final agency action under the Act which is locally or regionally applicable. Under Section 307(b)(1) of the Act, judicial review of this action may be had only in the United States Court of Appeals for the appropriate circuit. Any petition for review must be filed on or before June 20, 1980.

Copies of the determination are available for public inspection upon request at the following location: Permits Administration Branch, Room 432, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10007, attention: Mr. Kenneth Eng, (212) 265-4711.

Dated: March 24, 1980.

Charles S. Warren,

Regional Administrator.

[FR Doc. 80-12154 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

[FRL 1468-6]

PSD Nonapplicability to Rahway Valley and Linden-Roselle Sewerage Authorities

Notice is hereby given that on October 22, 1979, the Environmental Protection Agency (EPA), Region II Office, issued a determination that the Rahway Valley and Linden-Roselle Sewerage Authorities proposal to construct a new sewage sludge incinerator in Rahway, New Jersey is not subject to the Prevention of

Significant Air Quality Deterioration (PSD) regulations. This determination of non applicability has been issued under EPA's PSD regulations (40 CFR 52.21) for the sewage treatment plant based upon our finding that the potential (uncontrolled) emissions of each pollutant regulated under the Clean Air Act (the Act) from this incinerator is less than 250 tons per year (the PSD regulations apply to any new or modified sewage treatment plant with potential emissions of 250 tons per year or more of any pollutant regulated under the Act).

This PSD determination is final agency action under the Act which is locally or regionally applicable. Under Section 307 (b)(1) of the Act, judicial review of this action may be had only in the United States Court of Appeals for the appropriate circuit. Any petition for review must be filed on or before June 20, 1980.

Copies of the determination are available for public inspection upon request at the following location:

Permits Administration Branch—Room 432, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10007, attention: Mr. Kenneth Eng (212) 264-4711.

Dated: March 24, 1980.
Charles S. Warren,
Regional Administrator.
[FR Doc. 80-12155 Filed 4-18-80; 8:45 am]
BILLING CODE 6560-01-M

[FRL 1468-7]

PSD Nonapplicability to United States Metal Refining Co.

Notice is hereby given that on November 19, 1979, the Environmental Protection Agency (EPA), Region II Office, issued a determination that the United States Metal Refining Co. (USMR) proposal to expand (modify) their Carteret, New Jersey plant is not subject to the Prevention of Significant Air Quality Deterioration (PSD) regulations. This determination of nonapplicability has been issued under EPA's PSD regulations (40 CFR 52.21) for the secondary metal production plant based upon our finding that the new dryer and cooler associated with this project are basically enclosed systems wherein the exhaust gases are recirculated into the facilities (little or no emission increases) and the refurbishing of the electrolytic copper powder deposition cells are considered to be routine maintenance (not included under the definition of major modification pursuant to 40 CFR

52.21(b)(2)); therefore, the potential (uncontrolled) particulate matter emissions are considerably less than 100 tons per year (the PSD regulations apply to any new or modified secondary metal production plant with potential emissions of 100 tons per year or more of any pollutant regulated under the Clean Air Act (the Act)).

This PSD determination is final agency action under the Act which is locally or regionally applicable. Under Section 307(b)(1) of the Act, judicial review of this action may be had only in the United States Court of Appeals for the appropriate circuit. Any petition for review must be filed on or before June 20, 1980.

Copies of the determination are available for public inspection upon request at the following location:

Permits Administration Branch—Room 432, U.S. Environmental Protection Agency, Region II Office, 26 Federal Plaza, New York, New York 10007, attention: Mr. Kenneth Eng (212) 264-4711.

Dated: March 24, 1980.
Charles S. Warren,
Regional Administrator.
[FR Doc. 80-12156 Filed 4-18-80; 8:45 am]
BILLING CODE 6560-01-M

[OPP-30035; FRL 1466-3]

Reregistration of Pesticides

Correction

In FR Doc. 80-12161 which appeared at page 26370 in the Proposed Rules section of the Federal Register for Friday, April 18, 1980, should have appeared in the Notices section of that issue.

BILLING CODE 1505-01-M

FEDERAL COMMUNICATIONS COMMISSION

Fifth Meeting of the Advisory Committee on AM Broadcasting in Region 2

April 14, 1980.

Pursuant to Pub. L. 92-463, notice is hereby given of the fifth meeting of "The Advisory Committee on AM Broadcasting in Region 2" on Tuesday, May 6, 1980, beginning at 9:30 A.M. in Room A-110 of the FCC Annex, 1229 20th Street, N.W., Washington, D.C.

The Agenda will be as follows:

1. Call to order by the Chairman
2. Announcements
3. Approval of minutes of previous meeting
4. Reports of Task Forces
5. Other Business
6. Next meeting date and adjournment

All interested parties are invited to attend, and may submit comments, in writing, addressed to Mr. Charles H. Breig, Broadcast Bureau, Federal Communications Commission, 2025 "M" Street, N.W., Room 8002, Washington, D.C. 20554.

Federal Communications Commission.
William J. Tricarico,
Secretary.

[FR Doc. 80-12033 Filed 4-18-80; 8:45 am]
BILLING CODE 6712-01-M

FEDERAL ELECTION COMMISSION

[Notice 1980-16]

Rulemaking Petition: Availability

AGENCY: Federal Election Commission.

ACTION: Rulemaking petition: notice of availability.

SUMMARY: On April 3, 1980, the Democratic National Committee and the Democratic Senatorial Campaign Committee filed a Petition for Rulemaking with the Commission. The petition is available for public inspection in the Commission's Public Records Office. Statements in support of or in opposition to the petition must be filed on or before May 21, 1980.

DATES: Comments must be received on or before (30 days after date of publication).

FOR FURTHER INFORMATION CONTACT:

Ms. Patricia Ann Fiori, Assistant General Counsel, 1325 K Street, N.W., Washington, D.C. 20463, (202) 523-4143.

Rulemaking Petition: Notice of Availability

On April 3, 1980, the Democratic National Committee and the Democratic Senatorial Campaign Committee filed a Petition for Rulemaking with the Federal Election Commission. Petitioners seek promulgation of a rule requiring the following notice to appear on all solicitations for contributions by political committees conducting "negative campaigns" (i.e., in opposition to rather than in support of a candidate):

You should be aware that the Internal Revenue Service, in a letter ruling dated February 12, 1980, made a preliminary determination that contributions to "negative campaigns" (i.e., for the purpose of defeating specified candidates for elective office) would not qualify for the standard tax credit under 26 U.S.C. 41.

Copies of the Petition for Rulemaking are available for public inspection at the Commission's Public Records Office, 1325 K Street, N.W., Washington, D.C. 20463, between the hours of 9 a.m. and 5 p.m.

Statements in support of or in opposition to the Petition for Rulemaking must be filed with the Commission by May 21, 1980.

Dated: April 15, 1980.

Robert O. Tiernan,
Chairman, Federal Election Commission.

[FR Doc. 80-12243 Filed 4-18-80; 8:45 am]

BILLING CODE 6715-01-M

FEDERAL MARITIME COMMISSION

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for review and approval, if required, pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10423; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before May 1, 1980. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Agreement No. 9474-5.

Filing Party: Charles F. Warren, Warren & Associates, P.C., 1100 Connecticut Avenue, N.W., Washington, D.C. 20036.

Summary: Agreement No. 9474-5 amends the basic provisions of the Thailand-Pacific Freight Conference to (1) reduce the current sixty (60) days' notice required for members to take independent action to ten (10) days, and (2) reduce the seven day notice period required before a member's proposal can be considered at a Conference meeting to three (3) days.

By Order of the Federal Maritime Commission.

Dated: April 16, 1980.

Francis C. Hurney,

Secretary.

[FR Doc. 80-12168 Filed 4-18-80; 8:45 am]

BILLING CODE 6730-01-M

Notice of Agreements Filed

The Federal Maritime Commission hereby gives notice that the following agreements have been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of each of the agreements and the justifications offered therefor at the Washington Office of the Federal Maritime Commission, 1100 L Street, N.W., Room 10218; or may inspect the agreements at the Field Offices located at New York, N.Y.; New Orleans, Louisiana; San Francisco, California; Chicago, Illinois; and San Juan, Puerto Rico. Interested parties may submit comments on each agreement, including requests for hearing, to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before May 11, 1980. Comments should include facts and arguments concerning the approval, modification, or disapproval of the proposed agreement. Comments shall discuss with particularity allegations that the agreement is unjustly discriminatory or unfair as between carriers, shippers, exporters, importers, or ports, or between exporters from the United States and their foreign competitors, or operates to the detriment of the commerce of the United States, or is contrary to the public interest, or is in violation of the Act.

A copy of any comments should also be forwarded to the party filing the agreements and the statement should indicate that this has been done.

Agreement No.: T-3897

Filing Party: James J. Mason, 1008 South Yakima, Tacoma, Washington 98405.

Summary: Agreement No. T-3897, between the Port of Tacoma (Port) and United Grain Corporation (United), provides for the lease to United of certain grain loading and storage facilities in the Port of Tacoma, Washington. Without the first three years of the five-year term of the lease, United agrees to modernize the facilities or construct new grain handling facilities at the Port. As compensation, United will pay a monthly rental of \$27,500 for the first year, \$29,500 for the

second year, and \$31,500 for the remaining three years of the lease, as well as a switching and land rental cost and a proportion of a tideland lease.

Agreement No. 10027-9

Filing Party: Frank R. A. Levier, Executive Administrator, Inter-American Freight Conference, Av. Rio Branco 156-27, Andar Grupos 2707/2711, Rio de Janeiro, Brazil.

Summary: Agreement No. 10027-9 amends the basic Brazil/U.S. Atlantic Coast Ports Pool Agreement by the providing for the admission to membership of A. Bottacchi S.A. de Navegacion C.F.I.E.I.

Agreement No. 10178-1.

Filing Party: Howard A. Levy, Esquire, Suite 727, 17 Battery Place, New York, New York 10004.

Summary: A revision to Agreement No. 10178-1 has been filed to modify the U.S. Gulf/North Europe Discussion Agreement to extend the effectiveness of the agreement through March 1, 1983.

By Order of the Federal Maritime Commission.

Dated: April 16, 1980.

Francis C. Hurney,

Secretary.

[FR Doc. 80-12170 Filed 4-18-80; 8:45 am]

BILLING CODE 6730-01-M

American President Lines, Ltd./States Steamship Co.; Notice of Cancellation

Filing party: W. R. Purnell, Director of Pricing, American President Lines, Ltd., 1950 Franklin Street, Oakland, California 94612.

Agreement No. 9240

SUMMARY: On December 11, 1979, the Commission received notice of the termination of participation of American President Lines, Ltd., in Agreement No. 9240. The agreement was canceled on January 13, 1980, the date the agreement ceased to be a bilateral arrangement.

By Order of the Federal Maritime Commission.

Dated: April 16, 1980.

Francis C. Hurney,

Secretary.

[FR Doc. 80-12169 Filed 4-18-80; 8:45 am]

BILLING CODE 6730-01-M

[Independent Ocean Freight Forwarder License No. 1101]

International Export Packers, Inc.; Order of Revocation

On February 4, 1980, International Export Packers, Inc., 4600 Eisenhower Avenue, Alexandria, Virginia 22304, requested the Commission to revoke its

Independent Ocean Freight Forwarder's License No. 1101.

Therefore, by virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (Revised), section 5.01 (c), dated August 8, 1977;

It is ordered, that Independent Ocean Freight Forwarder License No. 1101 issued to International Export Packers, Inc., be and is hereby revoked effective this date.

It is further ordered, that Independent Ocean Freight Forwarder License No. 1101 issued to International Export Packers, Inc., be returned to the Commission for cancellation.

It is further ordered, that a copy of this Order be published in the *Federal Register* and served upon International Export Packers, Inc.

Robert G. Drew,

Director, Bureau of Certification and Licensing.

[FR Doc. 80-12032 Filed 4-18-80; 8:45 am]

BILLING CODE 6730-01-M

[Docket No. 80-22]

International Paper Co. v. Seatrain Pacific Services, S.A. et al.; Filing of Complaint

Notice is hereby given that a complaint filed by International Paper Company against Seatrain Pacific Services, S.A., Kawasaki Kisen Kaisha, Ltd., Mitsui O.S.K. Lines, Ltd., Sea-Land Service, Inc., Nippon Yusen Kaisha, Show Line, Ltd., Japan Line, Ltd., and Yamashita-Shinnihon Steamship Co., Ltd. was served April 11, 1980. The complaint alleges that respondent carriers' "currency surcharges" and "bunker surcharges" on intermodal minibridge traffic violates section 16 First and 17 of the Shipping Act, 1916.

Hearing in this matter, if any is held, shall commence on or before October 11, 1980. The hearing shall include oral testimony and cross-examination in the discretion of the presiding officer only upon a proper showing that there are genuine issues of material fact that cannot be resolved on the basis of sworn statements, affidavits, depositions, or other documents or that the nature of the matter in issue is such that an oral hearing and cross-examination are necessary for the development of an adequate record.

Francis C. Hurney,
Secretary.

[FR Doc. 80-12031 Filed 4-18-80; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Bank Holding Companies; Proposed de Novo Nonbank Activities

The bank holding companies listed in this notice have applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and section 225.4(b)(1) of the Board's Regulation Y (12 CFR 225.4(b)(1)), for permission to engage *de novo* (or continue to engage in an activity earlier commenced *de novo*), directly or indirectly, solely in the activities indicated, which have been determined by the Board of Governors to be closely related to banking.

With respect to each application, interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interest, or unsound banking practices." Any comment on an application that requests a hearing must include a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of that proposal.

Each application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank indicated for that application. Comments and requests for hearings should identify clearly the specific application to which they relate, and should be submitted in writing and received by the appropriate Federal Reserve Bank not later than May 15, 1980.

A. Federal Reserve Bank of New York
(A. Marshall Puckett, Vice President) 33 Liberty Street, New York, New York 10045:

J. P. Morgan & Co. Incorporated, New York, New York (finance and leasing activities; Western United States): to add an office at Los Angeles, California to the offices at which its subsidiary, J. P. Morgan Interfunding Corp., engages in making loans or other extension of credit and making leases of personal or real property in accordance with the Board's Regulation Y, including the secured financing of equipment or other asset acquisitions. The office in Los Angeles, California would serve Washington, Oregon, Idaho, Montana, Wyoming, Colorado, California, Utah,

Nevada, New Mexico, Arizona, Hawaii and Alaska.

B. Federal Reserve Bank of Cleveland
(Harry W. Hunning, Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

Mellon National Corporation, Pittsburgh, Pennsylvania (finance and insurance activities; Indiana): to engage through its subsidiary, Freedom Financial Services Corporation, in general consumer finance activities and acting as insurance agent with respect to the sale of credit life insurance, credit accident and health insurance and credit property insurance. These activities would be conducted from an office in Jeffersonville, Indiana, serving Metropolitan Jeffersonville, Indiana.

C. Federal Reserve Bank of Richmond
(Lloyd W. Bostian, Jr., Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

The Citizens and Southern Corporation, Columbia, South Carolina (leasing personnel property or acting as agent, broker, or advisor in leasing personal property): to engage through its subsidiary C&S Financial Services, Inc. in leasing personal property including automobiles, office equipment, data processing equipment, medical equipment, manufacturing equipment, materials handling equipment, and agricultural equipment; also acting as agent, broker, or advisor in leasing personal property. These activities would be conducted from offices of C&S Financial Services, Inc.'s offices in Charleston, South Carolina, and Columbia, South Carolina, serving South Carolina and neighboring areas of North Carolina and Georgia.

D. Federal Reserve Bank of San Francisco
(Harry W. Green, Vice President) 400 Sansome Street, San Francisco, California 94120:

BankAmerica Corporation, San Francisco, California (financing, servicing, and insurance activities; Louisiana): to continue to engage, through its indirect subsidiary, FinanceAmerica Corporation, a Louisiana corporation, in the activities of making or acquiring for its own account loans and other extensions of credit such as would be made or acquired by a finance company, and servicing loans and other extensions of credit. Such activities will include, but not be limited to, making loans and other extensions of credit to consumers as well as small businesses, making loans and other extensions of credit secured by real property, and the offering of credit related life, credit related health and accident, and credit related property insurance in connection with the extensions of credit made or acquired by FinanceAmerica

Corporation. These activities would be conducted from an existing office in Leesville, Louisiana, serving the State of Louisiana.

E. Other Federal Reserve Banks:
None.

Board of Governors of the Federal Reserve System, April 15, 1980.

Cathy L. Petryshyn,
Assistant Secretary of the Board.

[FR Doc. 80-12181 Filed 4-18-80; 8:45 am]

BILLING CODE 6210-01-M

**Edwardsville Management Co.;
Formation of Bank Holding Company**

Edwardsville Management Company, Omaha, Nebraska, has applied for the Board's approval under § 3(a)(1) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(1)) to become a bank holding company by acquiring 87.11 per cent or more of the voting shares of Edwardsville National Bank and Trust Company, Edwardsville, Illinois. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of St. Louis. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received no later than May 15, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, April 15, 1980.

Cathy L. Petryshyn,
Assistant Secretary of the Board.

[FR Doc. 80-12180 Filed 4-18-80; 8:45 am]

BILLING CODE 6210-01-M

**First American Bank Corp.; Acquisition
of Bank**

First American Bank Corporation, Kalamazoo, Michigan, has applied for the Board's approval under § 3(a)(3) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(3)) to acquire 100 per cent of the voting shares of The Union National Bank & Trust Co., Marquette, Michigan. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 15, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, April 15, 1980.

Cathy L. Petryshyn,
Assistant Secretary of the Board.

[FR Doc. 80-12176 Filed 4-18-80; 8:45 am]

BILLING CODE 6210-01-M

**First American Bank Corp.; Acquisition
of Bank**

First American Bank Corporation, Kalamazoo, Michigan, has applied for the Board's approval under § 3(a)(3) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(3)) to acquire 100 per cent of the voting shares of First National Bank of South Central Michigan, Quincy, Michigan. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 15, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, April 15, 1980.

Cathy L. Petryshyn,
Assistant Secretary of the Board.

[FR Doc. 80-12177 Filed 4-18-80; 8:45 am]

BILLING CODE 6210-01-M

**Knott Holding Company, Inc.;
Formation of Bank Holding Company**

Knott Holding Company, Inc., Bogard, Missouri, has applied for the Board's

approval under § 3(a)(1) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(1)) to become a bank holding company by acquiring 80.0 percent or more (including directors' qualifying shares of the voting shares of The Farmers Bank of Bogard, Bogard, Missouri. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than May 13, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, April 15, 1980.

Cathy L. Petryshyn,
Assistant Secretary of the Board.

[FR Doc. 80-12179 Filed 4-18-80; 8:45 am]

BILLING CODE 6210-01-M

**Manufacturers Hanover Bank
International (Miami); Establishment of
U.S. Branch of a Corporation**

Manufacturers Hanover Bank International (Miami), Miami, Florida, a corporation organized under section 25(a) of the Federal Reserve Act, has applied for the Board's approval under section 211.4(c)(1) of the Board's Regulation K (12 CFR § 211.4(c)(1)), to establish branches in Chicago, Illinois; Houston, Texas; and Los Angeles, California. Manufacturers Hanover Bank International (Miami) operates as a subsidiary of Manufacturers Hanover Trust Company, New York, New York.

The factors that are to be considered in acting on this application are set forth in section 211.4(a) of the Board's Regulation K (12 CFR § 211.4(a)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of New York. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than May 7, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that

are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, April 16, 1980.

Cathy L. Petryshyn,
Assistant Secretary of the Board.

[FR Doc. 80-12173 Filed 4-18-80; 8:45 am]

BILLING CODE 6210-01-M

Morgan Guaranty International Bank of Miami; Establishment of U.S. Branch of a Corporation

Morgan Guaranty International Bank of Miami, Miami, Florida, a corporation organized under section 25(a) of the Federal Reserve Act, has applied for the Board's approval under section 211.4(c)(1) of the Board's Regulation K (12 CFR § 211.4(c)(1)), to establish branches in Houston, Texas; and San Francisco, California. Morgan Guaranty International Bank of Miami operates as a subsidiary of Morgan Guaranty Trust Company of New York, New York, New York.

The factors that are to be considered in acting on this application are set forth in section 211.4(a) of the Board's Regulation K (12 CFR § 211.4(a)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of New York. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received no later than May 7, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarize the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, April 16, 1980.

Cathy L. Petryshyn,
Assistant Secretary of the Board.

[FR Doc. 80-12174 Filed 4-18-80; 8:45 am]

BILLING CODE 6210-01-M

North Branch Investment, Inc.; Proposed Continuation of General Insurance Activities

North Branch Investment, Inc., North Branch, Minnesota, has applied, pursuant to section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. § 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR § 225.4(b)(2)), for permission to continue to perform general insurance agency

activities in a community that has a population not exceeding 5,000. These activities would be performed from offices of Applicant's subsidiary in North Branch, Minnesota, and the geographic areas to be served are North Branch, Minnesota and neighboring communities. Such activities have been specified by the Board in section 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of section 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than May 15, 1980.

Board of Governors of the Federal Reserve System, April 15, 1980.

Cathy L. Petryshyn,
Assistant Secretary of the Board.

[FR Doc. 80-12175 Filed 4-18-80; 8:45 am]

BILLING CODE 6210-01-M

Signal Hills Associates, Inc.; Formation of Bank Holding Company

Signal Hills Associates, Inc., West St. Paul, Minnesota, has applied for the Board's approval under § 3(a)(1) of the Bank Holding Company Act (12 U.S.C. § 1842(a)(1)) to become a bank holding company by acquiring 100 percent (less directors' qualifying shares) of the voting shares of Signal Hills State Bank, West St. Paul, Minnesota. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. § 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than May 15, 1980. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Board of Governors of the Federal Reserve System, April 15, 1980.

Cathy L. Petryshyn,
Assistant Secretary of the Board.

[FR Doc. 80-12176 Filed 4-18-80; 8:45 am]

BILLING CODE 6210-01-M

GENERAL SERVICES ADMINISTRATION

National Archives and Records Service

Opening of White House Tapes Entered as Evidence in Trials

Notice is hereby given that, in accordance with Section 104 of Title I of the Presidential Recordings and Materials Preservation Act (Public Law 93-526, 88 Stat. 1695) and paragraph 105-63.401(b) of the General Services Administration implementing regulations (45 FR 14857, March 7, 1980), this agency has identified, inventoried, and prepared for public access an integral file segment of sound recordings in the custody of the National Archives and Records Service.

This file segment consists of sound recordings entered as evidence with the United States District Court for the District of Columbia in the cases of *United States v. John N. Mitchell, et al.* and *United States v. John B. Connally, et al.*, Nos. 74-110 and 74-440, respectively. Twenty-nine of the sound recordings, popularly known as the "Watergate tapes," are a portion of a larger body of sound recordings known as the "White House tapes," which were recorded at locations in the White House, Old Executive Office Building, and Camp David, Maryland, during the Presidency of Richard M. Nixon. Two additional sound recordings included in the file segment, which were also entered as evidence in *United States v. Mitchell, et al.*, are separate telephone conversations recorded on dictating machines by Charles W. Colson and John D. Ehrlichman in their respective offices.

The materials to be opened to the public consist of 30 tape-recorded conversations played in open court in *United States v. Mitchell, et al.*, and one tape-recorded conversation played in

United States v. Connally.

The total playing time for these tapes is approximately 12½ hours.

Recording introduced as evidence in *United States v. John B. Connally:*

Exhibit No. and participants	Location	Date	Time recorded
1—President Nixon; Campbell, J. Phil; Connally, John B.; Ehrlichman, John D.; Hardin, Clifford M.; Rice, Donald B.; Shultz, George P.; Whitaker, John C.	Oval Office	3/23/71	5:05-5:35 p.m.

Recordings introduced as evidence in *United States v. John Mitchell, et al.:*

Exhibit No. and participants	Location	Date	Time recorded
1—President Nixon; Haldeman, H.R.	Oval Office	6/23/72	10:04-11:39 p.m.
2—President; Haldeman	Oval Office	6/23/72	1:04-1:13 p.m.
3—President; Haldeman	Old Executive Office Building (EOB)	6/23/72	2:20-2:45 p.m.
4—President; Dean III, John W.; Haldeman	Oval Office	9/15/72	5:27-6:17 p.m.
5—President; Colson, Charles W.	EOB	1/8/73	4:05-5:34 p.m.
10—President; Dean	Oval Office	3/17/73	1:25-2:10 p.m.
11—President; Haldeman	Oval Office	3/20/73	6:00-7:10 p.m.
12—President; Dean; Haldeman	Oval Office	3/21/73	10:12-11:55 a.m.
13—President; Dean; Ehrlichman, John D.; Haldeman	EOB	3/21/73	5:20-6:01 p.m.
14—President; Colson	Lincoln Sitting Room (telephone)	3/21/73	7:53-8:24 p.m.
15—President; Haldeman	EOB	3/22/73	9:11-1:35 a.m.
16—President; Dean; Ehrlichman; Haldeman; Mitchell, John N.	EOB	3/22/73	1:57-3:43 p.m.
17—President; Ehrlichman; Ziegler, Ronald L.	EOB	3/27/73	11:10 a.m.-1:30 p.m.
18—President; Ehrlichman; Haldeman	EOB	4/14/73	8:55-11:31 a.m.
19—President; Ehrlichman; Haldeman	Oval Office	4/14/73	2:24-3:55 p.m.
20—President; Ehrlichman; Haldeman	EOB	4/14/73	5:15-6:45 p.m.
21—President; Haldeman	Lincoln Sitting Room (telephone)	4/14/73	11:02-11:16 p.m.
22—President; Haldeman	Lincoln Sitting Room (telephone)	4/14/73	11:22-11:53 p.m.
23—President; Ehrlichman	Oval Office	4/15/73	10:35-11:15 a.m.
24—President; Ehrlichman; Haldeman	Oval Office	4/16/73	9:50-9:59 a.m.
25—President; Dean	Oval Office	4/16/73	10:00-10:40 a.m.
26—President; Ehrlichman; Haldeman	Oval Office	4/16/73	10:50-11:04 a.m.
27—President; Haldeman	Oval Office	4/17/73	9:47-9:59 a.m.
28—President; Ehrlichman; Haldeman; Ziegler	Oval Office	4/17/73	12:35-2:20 p.m.
29—President; Ehrlichman	Oval Office	4/19/73	1:03-1:30 p.m.
31—President; Ehrlichman; Haldeman	EOB	4/25/73	11:06 a.m.-1:55 p.m.
32—President; Haldeman	EOB	4/25/73	4:40-5:30 p.m.
33—President; Haldeman	EOB (telephone)	4/25/73	7:46-7:53 p.m.
35—Ehrlichman; Colson; Hunt, E. Howard	Colson's office (telephone)	11/72	Unknown
37—Ehrlichman; Kalmbach, Herbert W.	Ehrlichman's office (telephone)	4/19/73	Unknown.

The sound recordings will be made available to the general public in the East Search Room at the National Archives Building, Eighth and Pennsylvania Avenue, NW., Washington, D.C., Monday through Friday, between the hours of 9 a.m. and 3 p.m. Twenty-four individual listening stations will be open to researchers on a first-come, first-served basis. No copies will be sold or otherwise provided. No sound recording devices will be allowed in the listening area. Researchers may take notes.

The Office of Presidential Libraries, National Archives and Records Service, will play the 31 tape-recorded conversations in the order in which they

are listed above. The sound recordings have been grouped into 15 segments, consisting of one to five conversations and ranging in duration from 45 minutes to 111 minutes. At the conclusion of each segment, the listening area will be cleared of researchers and readmittance will be on the first-come, first-served basis.

Because of the technical arrangements necessary for large-volume multiple listening, individual researchers will be unable to replay the sound recordings during the initial access period. When the expected initial demand diminishes, individual researchers will be able to make arrangements to engage in more intensive examination of conversations

of their choice from among this group of sound recordings.

Playing of all 31 tape-recorded conversations will require 4 days, and will begin anew each fifth day. The date of opening of these sound recordings for public access and the schedule for playing them during the initial access period will be announced in a press release prior to the start of the public access. For further information, write to the National Archives and Records Service (NLTN), Eighth and Pennsylvania Avenue, NW., Washington, D.C. 20408.

Any person who believes it necessary to bar public access to all or portions of the above materials to protect an individual's rights, privileges, of defenses, shall notify the Administrator of General Services in writing of the objection and the claimed right, privilege, or defense. The petition to the Administrator should be made in accordance with subsection 105-63.401-1 (45 FR 14857, March 7, 1980) and should be sent to the Administrator, General Services Administration, Washington, D.C. 20405, and should be postmarked on or before May 19, 1980. Envelopes should be clearly marked "Presidential Materials Public Access Appeal."

Dated: April 15, 1980.

James E. O'Neill,

Acting Archivist of the United States.

[FR Doc. 80-12020 Filed 4-18-80; 8:45 am]

BILLING CODE 6820-26-M

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

National Advisory Council on Adult Education; Meeting

AGENCY: National Advisory Council on Adult Education.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the Governmental Relations and Legislation Committee of the National Advisory Council on Adult Education. This notice also describes the functions of the Council. Notice of this meeting is required under the Federal Advisory Committee Act (Pub. L. 92-463, Sec. 10(a)(2)).

DATE: May 8, 1980, 6:30 p.m. to 8:30 p.m.; May 9, 1980, 8:30 a.m. to 4:00 p.m.

ADDRESS: National Advisory Council on Adult Education, 425 13th Street, N.W., Suite 323, Washington, D.C.

FOR FURTHER INFORMATION CONTACT:

Dr. Gary A. Eyre, Executive Director, National Advisory Council on Adult Education, 425 13th Street, N.W., Washington, D.C. 20004 (202/376-8892).

SUPPLEMENTARY INFORMATION: The National Advisory Council on Adult Education is established under Section 313 of the Adult Education Act (20 U.S.C. 1201). The Council is directed to:

Advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 306 and policies to eliminate duplication, and to effectuate the coordination of programs under this title and other programs offering adult education activities and services.

The Council shall review the administration and effectiveness of programs under this title, make recommendations with respect thereto, and make annual reports to the President of its findings and recommendations (including recommendations for changes in this title and other Federal laws relating to adult education activities and services). The President shall transmit each such report to the Congress together with his comments and recommendations.

The meeting of the Committee shall be open to the public. The proposed agenda includes:

Review of Final Rules and Regulations on the Adult Education Act (Part XVI—Federal Register, April 3, 1980).
Development of Council's Response on Rules and Regulations.

Records shall be kept of all Council proceedings, and shall be available for public inspection at the Office of the National Advisory Council on Adult Education, 425 13th St., N.W., Suite 323, Washington, D.C. 20004.

Signed at Washington, D.C., on April 16, 1980.

Gary A. Eyre,

Executive Director, National Advisory Council on Adult Education.

[FR Doc. 80-12103 Filed 4-18-80; 8:45 am]

BILLING CODE 4110-02-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

[Docket No. N-80-961]

Privacy Act of 1974, Amendment to General Statement of Routine Use of Systems of Records

AGENCY: Department of Housing and Urban Development.

ACTION: Notice of amendment to routine use of systems of records.

SUMMARY: The Department is publishing a proposed amendment to the General Statement of Routine Uses in the prefatory statement published at 44 FR 72288 (Dec. 13, 1979) containing general routine uses applicable to all of the Department's Systems of Records.

EFFECTIVE DATE: The amendment shall become effective without further notice on May 21, 1980 unless comments are received on or before that date which will result in a contrary determination.

ADDRESS: Rules Docket Clerk, Room 5218, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410.

FOR FURTHER INFORMATION CONTACT: Robert English, Departmental Privacy Act Officer, Telephone 202-557-0605. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: The General Statement of Routine Uses in the prefatory statement is being amended to provide for disclosure from HUD Systems of Records to OMB in connection with management improvement reviews of HUD foreclosure actions. The OMB review is being conducted to further the goals of the President's Management Improvement Council. The Council has been directed to identify critical management problems and to assist in their solutions.

The General Statement of the prefatory statement of Routine Uses is amended by revising the routine use disclosure to OMB to read as follows:

1. General Statement of Routine Uses.

* * * * *

Routine Use—Disclosure to OMB

The information contained in a system of records will be disclosed to the Office of Management and Budget in connection with review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular, and for the purpose of evaluating the Department's credit and debt collection activities to further the goal of the President's Management Improvement Council.

* * * * *

(5 U.S.C. 552(a), 88 Stat. 1896, sec. 7(d), Department of HUD Act, (42 U.S.C. 3535(d)))

Issued at Washington, D.C., April 14, 1980.
Vincent J. Hearing,

Deputy Assistant Secretary for Administration.

[FR Doc. 80-12188 Filed 4-18-80; 8:45 am]

BILLING CODE 4210-01-M

DEPARTMENT OF INTERIOR

Bureau of Land Management

Western Slope Carbon, Inc., Notice of Invitation

Correction

In FR Doc. 80-10100 appearing at page 22200 in the issue for Thursday, April 3, 1980, on page 22201, in the first column, third line, "Sec. 4: N. ½; SW ¼" should be corrected to read "Sec. 3: N. ½ SW ¼."

BILLING CODE 1505-01-M

Bureau of Indian Affairs

Indian Tribes Performing Law Enforcement Functions; Determination

April 8, 1980.

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary, Indian Affairs by 209 DM 8.

Section 601(d), Title I of the Omnibus Crime Control and Safe Streets Act of 1968, Pub. L. 90-351, places responsibility on the Secretary of the Interior to determine those Indian tribes which perform law and order functions.

The listing published beginning on page 13758 of the May 25, 1973 issue of the *Federal Register* (38 FR 13758) identified all eligible Indian tribes and the specific law enforcement functions they have responsibility to exercise. Determination and certification of those tribes not listed will be made on an individual basis upon application by such tribes.

It has been determined by the Assistant Secretary, Indian Affairs, that the Kickapoo Tribe of Indians in Kansas has responsibility to exercise the functions listed below:

Therefore, the listing published, beginning on page 13758 of the May 25, 1973 *Federal Register*, is further amended by adding the entry for the Kickapoo Indian Tribe in the State of Kansas to read as follows:

Tribal entities recognized by the Federal Government and listed by State	Employ tribal police	Establish a tribal court	Adopt a tribal law and order code	Undertake correction function	Undertake program for prevention of adult crime and juvenile delinquency	Undertake juvenile and adult rehabilitation program
Kansas: Kickapoo Indian Tribe.	X	X	X	X	X	X

Rick Lavis,

Deputy Assistant Secretary, Indian Affairs.

[FR Doc. 80-12036 Filed 4-18-80; 8:45 am]

BILLING CODE 4310-02-M

Indian Tribes Performing Law Enforcement Functions; Determination

April 8, 1980.

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM*.

Section 601(d), Title I of the Omnibus Crime Control and Safe Streets Act of 1968, Pub. L. 90-351, places responsibility on the Secretary of the

Interior to determine those Indian tribes which perform law and order functions.

The listing published beginning on page 13758 of the May 25, 1973 issue of the *Federal Register* (38 FR 13758) identified all eligible Indian tribes and the specific law enforcement functions they have responsibility to exercise. Determination and certification of those tribes not listed will be made on an individual basis upon application by such tribes.

It has been determined by the Assistant Secretary—Indian Affairs that the Quileute Indian Tribe of the State of Washington has responsibility to exercise the functions listed below:

Therefore, the listing published, beginning on page 13758 of the May 25, 1973 *Federal Register*, is further amended by adding the entry for the Quileute Indian Tribe of the State of Washington to read as follows:

Tribal entities recognized by the Federal Government and listed by State	Employ tribal police	Establish a tribal court	Adopt a tribal law and order code	Undertake correction function	Undertake program for prevention of adult crime and juvenile delinquency	Undertake juvenile and adult rehabilitation program
Washington: Quileute Indian Tribe.	X	X	X	X	X	X

Rick Lavis,

Deputy Assistant Secretary—Indian Affairs.

[FR Doc. 80-12037 Filed 4-18-80; 8:45 am]

BILLING CODE 4310-02-M

Receipt of Designated Tribal Agents for Service Of Notice

April 8, 1980.

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary, Indian Affairs by 209 DM 8.

The Indian Child Welfare Act of 1978 provides that Indian tribes may designate an agent for service of notice of proceedings, under the Indian Child Welfare Act, 25 CFR Part 23 Subpart B, other than the tribal chairman. The Secretary of the Interior shall publish the name and address of the designated agent in the *Federal Register* on an annual basis. This is notice of the designated tribal agents received by the Secretary prior to the date of this publication.

Akhiok Alaska—Village of Akhiok KANA, President, Director of Social Services and Director of Health;

Cheyenne River Sioux Tribe, Gilbert LeBeau, Eagle Butte, S. D. 57625, phone (605) 964-6602;

Crow Creek Sioux, Fort Thompson, S. D. 57339, (1) Winfred Boub (605) 245-2311, (2) Donald Eagle (605) 245-2221, (3) Ambrose McBride (605) 245-2221, (4) Duane Big Eagle (605) 245-2221;

Fort Berthold, The Three Affiliated Tribes Child Welfare Worker, the Child Welfare Program, Three Affiliated Tribes, Fort Berthold Reservation, New Town, North Dakota 58748;

Hopi, Linda Suetopka, Clerk of the Court,

Hopi Tribal Court, P.O. Box 156, Keams Canyon, Arizona 86034;

Hoonah Indian Association, Hoonah, Alaska 99829, Central Council, Tlingit and Haida Indian Tribes of Alaska, Sealaska Plaza, Suite 200, Juneau, Alaska 99801;

Jicarilla Apache Tribe, Chief Tribal Judge, Jicarilla Apache Tribal Court, P.O. Box 221, Dulce, New Mexico 87528 (505) 759-3366;

Kodiak Alaska, Natives of Kodiak, Inc., KANA, President, Director of Social Services, and Director of Health, Box 172, Kodiak, Alaska 99615 (907) 486-5725; Lower Brule Tribe, Rose McCauley, Juvenile Probation Officer, Lower Brule, S. D. 57548, phone (605) 473-5528;

Nambe Pueblo, Ms. Karen Quintana, Route 1, Santa Fe, New Mexico 87501, phone (505) 455-7692;

Navajo Nation, Navajo Tribal Government's, Division of Social Welfare, Navajo Nation, Window Rock, Arizona 86515, phone (602) 871-4595;

Oglala Sioux Tribe, Juvenile Court Judge, Oglala Sioux Tribal Court, Pine Ridge, S. D. 57770;

Omaha Tribe of Nebraska, Tribal Councilman, Willard D. Phillips, Box 143, Macy, Nebraska 68039;

Ouzinkie Village, Alaska, KANA, President, Director of Social Services, and Director of Health, Box 172, Kodiak, Alaska 99615, phone (907) 486-5725;

Picuris Pueblo, Ms. Mary Louise Keesing, Pueblo Tribal Secretary, P.O. Box 228, Penasco, New Mexico 87553;

Port Lions, Alaska, Tribal Council, KANA, President, Director of Social Services, and Director of Health, Box 172, Kodiak, Alaska 99615, phone (907) 486-5725;

Pueblo of San Felipe, Mrs. Jeanette Trancosa,

P.O. Box 308, Algodones, N. M. 87001, phone (505) 867-2439;

Ramah Navajo, David Maritime, Ramah Navajo Social Services, P.O. Drawer I—Pinehill CPO, Pinehill, New Mexico 87321, phone (505) 783-5011;

San Ildefonso Pueblo, Mr. P. Bert Naranjo, Tribal Judge, Route 5 Box 315-A, Santa Fe, New Mexico 87501, phone (505) 455-2273;

San Juan Pueblo, Mr. Johnny Abeyta, P.O. Box 1099, San Juan Pueblo, New Mexico 87566, phone (505) 852-4400;

Santa Clara Pueblo, (1) Honorable Frankie V. Gutierrez, Tribal Judge, (2) Ms. Pasqualita Frenier, Director of Social Services Programs, (3) Mr. Joseph Abeyta, Sr., Social Services, P.O. Box 580, Espanola, New Mexico 87532, phone 753-7326;

Sisseton-Wahpeton Sioux Tribe, Chief Judge, Sisseton-Wahpeton Tribal Court, Sisseton, South Dakota 57262;

Tesuque Pueblo, Mr. Louis Hena, Route 1 Box 1, Santa Fe, New Mexico 87501, phone (505) 983-2667;

Turtle Mountain Tribe, Shirley Malateere, Tribal Judge, Belcourt, North Dakota 58316, phone (701) 477-6121;

White Mountain Apache Tribe, Administrative Manager of the White Mountain Apache Tribe, P.O. Box 700, White River, Arizona 85941, phone (602) 338-4346;

Winnebago Tribe of Nebraska, Ms. Neola E. Walker, and Community Services Staff, Winnebago Tribe, Winnebago, Nebraska 68071.

Rick Lavis,

Deputy Assistant Secretary—Indian Affairs.

[FR Doc. 80-12035 Filed 4-18-80; 8:45 am]

BILLING CODE 4310-02-M

Receipt of Petition for Reassumption of Jurisdiction; White Earth Reservation, White Earth, Minn.

April 8, 1980.

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary, Indian Affairs by 209 DM 8.

The Indian Child Welfare Act of 1978 provides, subject to certain specified conditions, that Indian tribes may petition the Secretary of the Interior for reassumption of jurisdiction over Indian child custody proceedings.

This is notice that a petition has been received by the Secretary from the White Earth Reservation, for the tribal reassumption of jurisdiction over child custody proceedings. The petition is under review, and may be inspected and copied at the Minnesota Agency Office, Bureau of Indian Affairs, Cass Lake, Minnesota.

Rick Lavis,

Deputy Assistant Secretary, Indian Affairs.

[FR Doc. 80-12034 Filed 4-18-80; 8:45 am]

BILLING CODE 4310-02-M

Bureau of Land Management

Outer Continental Shelf, List of Restricted Joint Bidders

This notice supersedes the list of Restricted Joint Bidders published Friday, October 19, 1979, at 44 FR 60416. Pursuant to the authority vested in the Director of the Bureau of Land Management by the joint bidding provisions of 43 CFR 3316.3, the following companies shall be restricted

from bidding jointly with any other company on this same list at Outer Continental Shelf oil and gas lease sales held during the bidding period of May 1, 1980, through October 31, 1980. BP

Alaska Exploration Incorporated, Sohio Alaska Petroleum Company and Sohio Petroleum Company are listed together as one Restricted Joint Bidder; they may bid with each other, but not with any other company on this list:

BP Alaska Exploration Inc., and Sohio Alaska Petroleum Company and Sohio Petroleum Company

Chevron U.S.A., Incorporated

Exxon Corporation

Gulf Oil Corporation

Mobil Oil Corporation

Mobil Oil Exploration and Producing

Southeast Incorporated

Mobil Producing Texas and New Mexico

Incorporated

Shell Oil Company

Standard Oil Company of California Texaco Incorporated

Ed Hastey,

Associate Director, Bureau of Land Management.

April 10, 1980.

[FR Doc. 80-12125 Filed 4-18-80; 8:45 am]

BILLING CODE 4310-84-M

[M 45059 (SD)]

South Dakota; Realty Action—Noncompetitive Sale; Public Lands in Union County, S. Dak.

Correction

In FR Doc. 80-10810 appearing on page 24703 in the issue of Thursday, April 10, 1980, the land description for the Fifth Principal Meridian, S. Dak. should have read as set forth below:

FIFTH PRINCIPAL MERIDIAN, SOUTH DAKOTA.

T. 90 N., R. 49 W.,

Sec. 32, Lot 1, part and accretions,	(Lot 6 - 33.95 acres)*
Lot 2, part and accretions, and	(Lot 5 - 38.19 acres)*
Lot 3, part;	(Lot 4 - 42.88 acres)*
Sec. 33, Lot 2 part and accretions,	(Lot 5 - 36.98 acres)*
Lot 3 part, and	(Lot 4 - 17.91 acres)*
N $\frac{1}{2}$ SW $\frac{1}{4}$.	(- - 80.00 acres)*

Containing approximately 249.91 acres.

*Resurvey Pending

BILLING CODE 1505-01-M

Fish and Wildlife Service

Endangered and Threatened Species Permit; Amendment to Notice of Receipt of Application

Applicant: Cape Cod Museum of Natural History, R.R. 1, Box 6-A, Brewster, Massachusetts 02631.

The applicant requests to amend his current application to include capture, tagging and release of cold-shocked sea turtles which may be found in and around Cape Cod Bay.

Humane care and treatment during transport has been indicated by the applicant.

Documents and other information submitted with this application are available to the public during normal business hours in Room 605, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the Director, U.S. Fish and Wildlife Service (WFO), Washington, D.C. 20240.

This application has been assigned file number PRT 2-6390. Interested persons may comment on this application within 30 days of the date of this publication by submitting written data, views, or arguments to the Director at the above address. Please refer to the file number when submitting comments.

Dated: April 16, 1980.

Donald G. Donahoo,

Chief, Permit Branch, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service.

[FR Doc. 80-12129 Filed 4-18-80; 8:45 am]

BILLING CODE 4310-55-M

Endangered Species Permit; Notice of Receipt of Applications

The applicants listed below wish to be authorized to conduct the specified activity with the indicated Endangered Species:

Applicant: Kansas City Zoological Gardens, Swope Park, Kansas City, Missouri 64132—PRT 2-6374.

The applicant requests a permit to purchase 1 male and 1 female cheetah (*Acinonyx jubatus*) from Cincinnati (Ohio) Zoo for purposes of propagation.

Applicant: Roeding Park Zoo, 894 W. Belmont Avenue, Fresno, California 93728—PRT 2-6492.

The applicant requests a permit to sell one male ocelot (*Felis pardalis*) to Michken Wildlife Corporation in Montreal, Quebec, Canada for propagation purposes.

Humane care and treatment during transport, if applicable, has been indicated by the applicant.

Documents and other information submitted with these applications are available to the public during normal business hours in Room 605, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the Director, U.S. Fish & Wildlife Service, WPO, Washington, D.C. 20240.

Interested persons may comment on these applications within 30 days of the date of this publication by submitting written data, views, or arguments to the Director at the above address.

Dated: April 16, 1980.

Donald G. Donahoo,

Chief, Permit Branch, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service.

[FR Doc. 80-12130 Filed 4-18-80; 8:45 am]

BILLING CODE 4310-55-M

Endangered Species Permit; Notice of Receipt of Applications

The applicants listed below wish to be authorized to conduct the specified activity with the indicated Endangered Species:

Applicant: Joshua Charap, Pittsburgh, Pennsylvania—PRT 2-6334.

The applicant requests a permit to import during the course of a commercial activity 12 Scarlet-chested parakeets (*Neophema splendida*) from Friedrich Astor, West Germany for enhancement of propagation and survival.

Applicant: Philadelphia Academy of Natural Sciences, Philadelphia, Pennsylvania—PRT 2-6394.

The applicant requests a permit to export and re-import museum specimens of endangered and threatened wildlife already accessioned into the museum's collection. Specimens are to be temporarily loaned to foreign institutions for scientific research.

Applicant: Barbara Baris, Oxford, Connecticut—PRT 2-6329.

The applicant requests a permit to purchase in interstate commerce one captive-bred wolf (*Canis lupus*) from Penn State Animals, Greeley, Pennsylvania for enhancement of propagation and survival.

Applicant: James H. Speight, Jr., Fredericksburg, Texas—PRT 2-6340.

The applicant requests a permit to purchase in interstate commerce four captive-bred masked bobwhite quail (*Colinus virginianus ridgwayi*) from Robert Orr, Mountain View, California for enhancement of propagation and survival.

Applicant: Dr. Eugene Mancini, Woodward-Clyde Consultants, San Diego, California—PRT 2-6337.

The applicant requests a permit to take from the wild fat pocketbook mussels (*Potamilus capax*) from the White and St. Francis Rivers in northeastern Arkansas to determine the presence, abundance, and distribution of this species at those locations. The data to be gained is to be used by the Fish & Wildlife Service in consultation as required by Section 7 of the Endangered Species Act. No mussels will be permanently removed from the wild.

Applicant: Gordon Kruger, Bloomington, Illinois—PRT 2-6419.

The applicant requests a permit to purchase in interstate commerce four captive-bred Nene or Hawaiian geese (*Branta sandvicensis*) from the St. Louis Zoological Gardens, St. Louis, Missouri for enhancement of propagation and survival.

Applicant: Duke University Primate Center, Durham, North Carolina—PRT 2-6368.

The applicant requests a permit to import as a gift ten (10) lesser mouse lemurs (*Microcebus murinus*), six (6) grey gentle lemurs (*Haplorhina griseus*), and five (5) Coquerel's sifakas (*Propithecus verreauxi*) from Direction des eaux et forets of the Madagascar Government, Madagascar. The animals are to be removed from the wild and are to be used for enhancement of propagation and survival.

Applicant: Connell, Metcalf, & Eddy, Inc., Coral Gables, Florida—PRT 2-2216.

The applicant requests a permit to take, capture, mark, (if necessary) relocate, stomach sample, radio tag, and release up to 100 American crocodiles (*Crocodylus acutus*) in Dade County, Florida for enhancement of survival and scientific research. No animal is to be killed or permanently removed from the wild.

Applicant: George R. Donley, Suitland, Maryland—PRT 2-6471.

The applicant requests a permit to purchase in interstate commerce four masked bobwhite quail (*Colinus virginianus ridgwayi*) from Robert Orr, Mountain View, California for enhancement of propagation and survival.

Applicant: Jacksonville Zoological Park, Jacksonville, Florida—PRT 2-6451.

The applicant requests a permit to purchase in interstate commerce four

captive-bred Nene or Hawaiian geese (*Branta sandvicensis*) from the Bronx Zoo, New York for enhancement of propagation and survival.

Humane care and treatment during transport, if applicable, has been indicated by the applicant.

Documents and other information submitted with these applications are available to the public during normal business hours in Room 601, 1000 N. Glebe Road, Arlington, Virginia, or by writing to the Director, U.S. Fish & Wildlife Service, WPO, Washington, D.C. 20240.

Interested persons may comment on these applications within 30 days of the date of this publication by submitting written data, views, or arguments to the Director at the above address.

Dated: April 16, 1980.

Donald G. Donahoo,

Chief, Permit Branch, Federal Wildlife Permit Office, U.S. Fish and Wildlife Service.

[FR Doc. 80-12131 Filed 4-18-80; 8:45 am]

BILLING CODE 4310-55-M

National Park Service

Availability of Environmental Review on Assessment of Alternatives on the Proposed General Management Plan/Wilderness Suitability; Congaree Swamp National Monument, S.C.

In October 1979 the National Park Service completed and placed on public review an Assessment of Alternatives on the General Management Plan/Wilderness Suitability for Congaree Swamp National Monument.

After making an Environmental Review of the alternatives and their impacts presented in the assessment and after public comment thereon, the National Park Service has made a "Finding of No Significant Impact" relative to the general development, visitor use, and resource management; therefore, an environmental impact statement will not be prepared for these components of the plan. We intend to prepare an environmental impact statement for boundary adjustment as well as for the wilderness recommendation which is expected to be available for public review in approximately 9 months.

Anyone needing additional information or desiring a copy of the Environmental Review should contact the Regional Director, Southeast Region, National Park Service, 75 Spring Street, SW, Atlanta, Georgia 30303, or the Superintendent, Congaree Swamp National Monument, P.O. Box 11938, Columbia, South Carolina 29211.

No projects indicated in the selected alternative will be begun until the 30-day review period has expired.

Dated: April 10, 1980.

James L. Bainbridge,
Acting Regional Director, Southeast Region.
[FR Doc. 80-12104 Filed 4-18-80; 8:45 am]
BILLING CODE 4310-70-M

INTERSTATE COMMERCE COMMISSION

Motor Carrier Temporary Authority Applications

The following are notices of filing of applications for temporary authority under Section 10928 of the Interstate Commerce Act and in accordance with the provisions of 49 CFR 1131.3. These rules provide that an original and two (2) copies of protests to an application may be filed with the Regional Office named in the **Federal Register** publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the **Federal Register**. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the ICC Regional Office to which protests are to be transmitted.

Note.—All applications seek authority to operate as a common carrier over irregular routes except as otherwise noted.

Motor Carriers of Property

Notice No. 24

April 8, 1980.

MC 148283 (Sub-7TA), filed January 31, 1980. Applicant: ABC TRANSPORTATION CO., State Docks Rd., Eufaula, AL 36027. Representative:

W. W. Riley (address same as the address of the applicant). 1. *Metal livestock feeding and watering equipment*; 2. *Parts and accessories for the commodities in (1) above*; and 3. *materials, equipment, and supplies (except in bulk), used in the manufacture, sale and assembly of the commodities in (1) above*, between the facilities of Hawkeye Steel Products, Inc. and Marlor, Inc., at or near Waterloo, Black Hawk County, and Council Bluffs, Pottawattamie County, Iowa, on the one hand, and on the other, points in the United States (except Alaska and Hawaii) under continuing contracts with Hawkeye Steel Products Inc., of Waterloo, Iowa, and Marlor, Inc., of Council Bluffs, Iowa, for 180 days. Supporting shipper(s): Hawkeye Steel Products, Inc., 324 Duryea St., Waterloo, Iowa 50701. Send protests to: Mabel E. Holston, TA, I.C.C., Room 1616, 2121 Bldg., Birmingham, AL 35203.

MC 148283 (Sub-6TA), filed January 31, 1980. Applicant: ABC TRANSPORTATION CO., State Docks Rd., Eufaula, AL 36027. Representative: W. W. Riley (address same as the address of the applicant). 1. *Prefabricated metal buildings, knocked-down*, 2. *parts and accessories for the commodities in (1) above*, and 3. *materials, equipment, and supplies (except in bulk), used in the manufacture, sale and assembly of the commodities in (1) above*, between the facilities of American Buildings Company, Inc., at or near Eufaula, Barbour County, Alabama; Carson City, Carson City County, Nevada; Jamestown, Green County, Ohio; and Atlantic, Cass County, Ohio; on the one hand, and, on the other, points in the United States (except AK and HI), under continuing contract(s) with American Buildings Company, Inc., of Eufaula, Alabama, for 180 days. Supporting shipper(s): American Buildings Co., States Docks Rd., Eufaula, AL 36027. Send protests to: Mabel E. Holston, TA, I.C.C., Room 1616, 2121 Bldg., Birmingham, AL 35203.

MC 143402 (Sub-3TA), filed July 2, 1979. Applicant: JOHN HENSAL TRUCKING, INC., 1709 14th Street, Woodward, OK 73801. Representative: John Hensal (address as applicant). *Oilfield equipment, materials and supplies*, over irregular routes, between points in the States of OK, KS and TX. Supporting shipper(s): Triad Drilling Company, 1100 Biting Bldg., Wichita, KS; Rine Drilling Company, Box 1226, Woodward, OK 73801; Hickman Drilling Company, Box 1467, Woodward, OK 73801; Northwest Service & Equipment, Inc., Box 593, Woodward, OK 73801.

Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

MC 148283 (Sub-5TA), filed January 31, 1980. Applicant: ABC TRANSPORTATION CO., State Docks Rd., Eufaula, AL 36027. Representative: W. W. Riley (address same as the address of the applicant). 1. *Prefabricated metal grain storage bins, knocked-down*; 2. *parts and accessories for the commodities in (1) above*; and 3. *materials, equipment, and supplies (except in bulk) used in the manufacture, sale and assembly of the commodities in (1) above*, between the facilities of Conrad-American, Inc., at or near Eufaula, Barbour Co., Alabama; Grand Island, Hall County, Nebraska and Houghton, Lee County, Iowa on the one hand, and, on the other, points in the United States (except Alaska and Hawaii) under a continuing contract(s) with Conrad-American, of Houghton, Iowa, for 180 days. Supporting shipper(s): Conrad-American, Inc., Hwy. 16, West, P.O. Box 88, Houghton, IA 52631. Send protests to: Mabel E. Holston, TA, ICC, Room 1616, 2121 Bldg., Birmingham, AL 35203.

MC 149383TA, filed January 14, 1980. Applicant: JAMES B. SIZEMORE d.b.a. JIM'S HOT SHOT SERVICE, 709 Plaza Drive, Moore, OK 73160. Representative: C. L. Phillips, Rm. 248, Classen Terrace Bldg., 1411 N. Classen, Oklahoma City, OK 73106. *Machinery, materials, equipment and supplies used in, or in connection with, the discovery, development and production of natural gas and petroleum and their products*, in hot shot service, restricted to delivery at well sites and supply stores, and maximum of 14,000 lbs, between Oklahoma City, OK, on the one hand, and, on the other, points in CO, LA, MT, ND, TX, WY, and UT, for 180 days. Supporting shipper(s): Helmevich & Payne Int'l. Drig. Co., 5401 So. Hattie, Oklahoma City, OK 73129; Gulfco Ind., Inc., 7500 S.W. 29th, Oklahoma City, OK 73179; The Bovaird Supply Co., 1315 S.E. 29th, Oklahoma City, OK 73143; Sii Drilco, 6101 Camille Ave., Oklahoma City, OK 73149. Send protests to: Connie Stanley, ICC, Rm. 240, 215 N.W. 3rd, Oklahoma City, OK 73102.

Notice No. F-19

The following applications were filed in Region I. Send protests to Regional Authority Center, Interstate Commerce Commission, 150 Causway St., Rm. 501, Boston, MA 02114.

MC 148224 (Sub-1-1TA), filed April 10, 1980. Applicant: DALT AUTO LEASING CORPORATION, 360 Sylvan Avenue, Englewood Cliff, NJ 07632.

Representative: Robert B. Pepper, 168 Woodbridge Avenue, Highland Park, NJ 08901. *Contract carrier*: Irregular routes: *Cabinets, refrigerator units and displays, and materials and supplies used in connection therewith, except in bulk, on return, from New York, NY to points in CT, DE, FL, GA, MD, MA, NJ, NC, PA, RI, SC, TX, VA, and WV.* Supporting shipper: The Shultz, 44 West 143rd Street, NY, NY 10037.

MC 150430 (Sub-1-1TA), filed April 10, 1980. Applicant: MIDLAND TRANSPORT LIMITED, P.O. Box 929, Moncton, New Brunswick, Canada, E1C 8N8. Representative: Fritz R. Kahn, Esq., Suite 1100, 1660 L Street NW., Washington, D.C. 20036. (1) *General commodities* (except those of unusual value, Class A and B explosives, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment), from Fall River, MA, Bar Harbor and Portland, ME, and the ports of entry on the US-CD boundary line at or near Calais, Vanceboro, Houlton, Ft. Fairfield, Van Buren, Madawaska and Fort Kent, ME, on the one hand, and, on the other, points in ME, NH, VT, MA, RI, CT, NY, NJ and PA and Miami, FL. Restricted to the transportation of shipments in foreign commerce originating at the Atlantic Provinces of CD. (2) *common carrier*, regular routes, *general commodities* (except those of unusual value, Class A and B explosives, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment), from Boston, MA, to Fall River, MA, Bar Harbor and Portland, ME, and the ports of entry on the US-CD boundary line at or near Calais, Vanceboro, Houlton, Ft. Fairfield, Van Buren, Madawaska and Fort Kent, ME: (1) From Boston, MA, to Fall River, MA, over MA Hwy 24, serving no intermediate points. (2) From Boston, MA, to ports of entry on the US-CD boundary line at Calais, Vanceboro, Houlton, Ft. Fairfield, Van Buren, Madawaska and Fort Kent, ME, over Interstate Hwy 95, to Houlton, ME, and then over U.S. Hwy 1, serving St. John and Bar Harbor, ME, as off-route points and Bangor and Portland, ME, as intermediate points and no other intermediate points. (3) From Boston, MA, to the ports of entry on the US-CD boundary line at or near Calais, Vanceboro, Houlton, Ft. Fairfield, Van Buren, Madawaska and Fort Kent, ME, over U.S. Hwy 1, serving Bangor, St. John and Bar Harbor, ME, as off-route points and Portland, ME, as an intermediate point and no other intermediate points. (4) From Boston,

MA, to the ports of entry on the US-CD boundary line at Calais, Vanceboro, Houlton, Ft. Fairfield, Van Buren, Madawaska and Fort Kent, ME, over Interstate Hwy 95 to Bangor, ME, then over ME Hwy 9 to Baring, ME, and then over U.S. Hwy 1, serving St. John and Bar Harbor, ME, as off-route points and Bangor and Portland, ME, as intermediate points and no other intermediate points. (5) From Boston, MA, to the ports of entry on the US-CD boundary line at Calais, Vanceboro, Houlton, Ft. Fairfield, Van Buren, Madawaska and Fort Kent, ME, over Interstate Hwy 95 to Bangor, ME, then over U.S. Hwy 2 to Lincoln, ME, then over ME Hwy 6 to Vanceboro, ME, serving St. John and Bar Harbor, ME, as off-route points and Bangor and Portland, ME, as intermediate points and no other intermediate points. Restricted to the transportation of shipments in foreign commerce destined to the Atlantic Provinces of CD. Supporting shippers: There are 7 statements in support attached to this Application which may be examined at the ICC Regional Office in Boston, MA.

MC 148127 (Sub-1-1TA), filed March 11, 1980. Applicant: LINEHAUL EXPRESS CORPORATION, P.O. Box 5078, Manchester, NH 03108. Representative: Neal R. Michaud (same address as above). *Footwear and related articles* from points in NH, to points in the United States, except ME, MA, NH, VT, CT, RI, AL and HI. Supporting shipper: Prevue Products, 195 McGregor Street, Manchester, NH 03102.

MC 150516 (Sub-1-1TA), filed March 10, 1980. Applicant: SERVICE CO. OF MASS., 116 Mount Vernon Street, Lawrence, MA 01843. Representative: Kathleen Curtin, president, 116 Mount Vernon Street, Lawrence, MA 01843. *Contract carrier*, irregular routes; *Textiles, dry goods, fabric, cloth and materials and supplies used in the manufacture, processing, distribution and sale of such commodities between:* points in MA on the one hand, and, on the other, points in AL, CT, FL, GA, IL, IN, KS, MA, ME, MD, MO, NH, NJ, NY, NC, OH, PA, RI, SC, TN, TX, VA, LA. Supporting shipper: Malden Mills, Chase Street, Methuen, MA.

MC 141008 (Sub-1-1TA), filed March 8, 1980. Applicant: AIR TRANSPORT, INC., 220 West Second Street, Boston, MA 02127. Representative: Frederick T. O'Sullivan, P.O. Box 2184, Peabody, MA 01960. *Contract carrier* irregular routes: *Paper, paper products and re-cycled fibre (except commodities in bulk, in tank vehicles)*, between Augusta, ME, on the one hand, and, on the other, Long Island City, NY, Woodbury and

Carlstadt, NJ, Jessup and Landover, MD, and DC. Supporting shipper: Statler Tissue Company, 300 Middlesex Avenue, Medford, MA 02155.

MC 71593 (Sub-8TA), filed April 10, 1980. Applicant: FORWARDERS TRANSPORT, INC., 1608 E. Second Street, Scotch Plains, NJ 07076. Representative: David W. Swenson (same as applicant). (1) *Sound recordings or sound recording blanks; (2) and materials, equipment and supplies used in the development, manufacture, distribution and promotion of the commodities in (1) above;* from (a) Winchester, VA; Philadelphia, Scranton, PA; Mt. Laurel, NJ; Woburn, MA; Dallas, TX; Los Angeles, CA; Atlanta, GA; Cleveland, OH; to Chicago, IL; (b) from Los Angeles, CA to Dallas, TX; and (c) from Jacksonville, IL to Los Angeles, CA. Supporting shipper: Warner/Elektra/Atlantic, Inc., Burbank, CA.

MC 143246 (Sub-1-2TA), filed April 10, 1980. Applicant: LAND TRANSPORT CORPORATION, 24 Sabrina Road, Wellesley, MA 02181. Representative: Donald J. Malkin (same address as above). *Contract carrier* irregular routes, *transporting such commodities as are sold in drug, chain, discount and department stores (except commodities in bulk, in tank vehicles)* between the facilities of Zayre Corporation located in Framingham, MA, on the one hand, and, on the other, points in AL, AR, GA, KY, LA, MS, MO, and TN. restriction: the authority granted herein is limited to a transportation service to be performed under a continuing contract with Zayre Corporation of Framingham, MA. Supporting shipper: Zayre Corporation, 235 Old Connecticut Path, Framingham, MA.

MC 150526 (Sub-1-1TA), filed April 10, 1980. Applicant: YARMOUTH LUMBER, INC., Box 46, Yarmouth, ME. 04096. Representative: William H. Phipps, North Street, Yarmouth, ME. 04096. *Contract Carrier*, irregular routes. *Canned fish*, from the facilities of Port Clyde Foods, Inc. located in ME. to all points in NH, MA, RI, CT, NY, NJ, PA, DE, MD, VA, WV, NC, SC, GA, FL, OH, KY, MI, TN, IN, IL, AL, LA, MS, IA. Supporting shipper: Port Clyde Foods Inc., 366 U.S. route 1 Falmouth, ME. 04105.

MC 145981 (Sub-1-2TA), filed April 10, 1980. applicant: ACE TRUCKING CO., INC., 1 Hackensack Ave., South Kearny, NJ 07032. Representative: George A. Olsen, P.O. box 357, Gladstone, NJ 07934. *Chemicals and Cleaning Compounds (except commodities in bulk)*, Between points in MA, on the one hand, and, on the other, points in CA,

FL, GA, IL, OH, NC, SC, TN, TX, and WI. Supporting shipper(s): Holtrachem, Inc., 209 West Central St., Natick, MA 01760; and Reichold Chemical, 77 Lowell Junction Rd., Andover, MA.

MC 136916 (Sub-1-1TA), filed April 10, 1980. Applicant: LENAPE TRANSPORTATION CO., INC., P.O. Box 227, Lafayette, NJ 07848. Representative: Morton E. Kiel, Suite 1832, 2 World Trade Center, New York, NY 10048. *Cullet* (broken glass), in bulk, from Newington, Danbury, East Hartford, West Haven and Branford, CT to North Bergen, Bridgeton and Vineland, NJ. Supporting shipper(s): Owens-Illinois, Inc., 405 Madison Avenue, Toledo, OH 43666.

MC 127524 (Sub-1-2TA), filed April 10, 1980. Applicant: QUADREL BROS. TRUCKING CO., INC., 1603 Hart Street, Rahway, New Jersey 07065. Representative: David L. Middleton (same address as above). *Chemicals in bulk (liquid soap and fatty acid)* from the facility of Johnson & Johnson, Dayton, NJ to Baltimore, Md. Supporting shipper: Johnson & Johnson Baby Products Co., Piscataway, NJ 08854.

MC 10875 (Sub-2TA), filed April 9, 1980. Applicant: BRANCH MOTOR EXPRESS COMPANY, 114 Fifth Avenue, New York, NY 10011. Representative: G. G. Heller (same address as applicant). *Common carrier*: regular routes: *General commodities* (except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) (1) Serving points in Snyder and Union Counties PA, as off-route points to applicant's regular routes; (2) Serving points in IA, MN, MO and WI, as off-route points to applicant's regular routes, restricted to traffic originating at or destined to the facilities of Georgetown Steel Corp., Georgetown SC. Supporting shippers: There are 11 statements in support attached to this application which may be examined at the ICC regional office in Boston, MA.

MC 119955 (Sub-1TA), filed April 9, 1980. Applicant: RUDOLPH LABRANCHE, INC., P.O. Box 23, 394 North Main Street, West Franklin, NH 03235. Representative: Raymond P. D'Amante, Esq., 246 Loudon Road, P.O. Box 494, Concord, NH 03301. *Contract carrier*, irregular routes, *valves, valve components, tools, jigs, equipment used in the manufacture of valves, rough castings, bronze ingot, iron ingot, brass ingot, casting scrap, chips, brass rod, forgings, casting sand, and machine parts; and business papers and records, audit and accounting media and blueprints, in interplant messenger service* between (a) Franklin, NH,

Lawrence, MA and Spindale, NC on the one hand and on the other Lawrence, Boston, Springfield, and Waltham, MA, Newington and Franklin, NH, East Haddam, Bridgeport, Norwalk, Waterbury, Ansonia, Seymour and New Milford, CT, Brooklyn and Buffalo, NY, Philadelphia, Horsham, Columbia, Pittsburgh, Neville Island and Bellafonte, PA, Baltimore, MD, Washington, DC, Wilmington, DE, Hawthorne, NJ, Spindale, NC, Cleveland, Montpelier, Cincinnati, Canal Winchester, and Kinsman, OH, Addison, Chicago, and Oregon, IL and Pinellas Park, FL and (b) Kinsman, OH on the one hand, and on the other, Neville Island, PA and Oregon, IL. Supporting shipper: Watts Regulator Co., Lawrence, MA.

MC 150519 (Sub-1-1TA), filed April 3, 1980. Applicant: P & L Enterprises, 1776 Main Street, Springfield, MA 01103. Representative: Robert J. Brooks, 1111 E Street NW., Suite 501, Washington, DC 20004. *Contract carrier*, irregular routes, *passengers and their baggage, in vehicles seating 25 passengers or less*, between the facilities of Boardwalk Regency Hotel and Casino, at Atlantic City, NJ, on the one hand, and, on the other, Washington, DC, and points in CT, DE, MD, NY, PA, and VA, under a continuing contract with Happy Day Tours, Inc., exclusive booking agent for Boardwalk Regency Hotel and Casino. Supporting shipper: Happy Day Tours, Inc., Atlantic City, NJ.

MC 71593 (Sub-1-7), filed April 8, 1980. Applicant: FORWARDERS TRANSPORT, INC., 1608 E. Second Street, Scotch Plains, NJ 07076. Representative: David W. Swenson, 1608 E. Second Street, Scotch Plains, NJ 07076. *General commodities* (except those of unusual value, Classes A & B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) from points within the United States to facilities of Imex (Import-Export Shippers Cooperative, Inc.) in Chicago, IL and Los Angeles, CA. Supporting shipper: Imex—(Import-Export Shippers Cooperative, Inc.), 2437 East 14th Street, P.O. Box 21428, Los Angeles, CA 90021.

MC 150447 (Sub-1-2TA), filed April 7, 1980. Applicant: GSC TRANSPORT INC., 1050 State Street, Perth Amboy, NJ 08861. Representatives: John L. Alfano and Roy A. Jacobs, Esqs. (Alfano & Alfano, P.C.), 550 Mamaroneck Avenue, Harrison, NY 10528. *Contract carrier*: irregular routes: *Penicillin and Plastic Articles* [except in bulk], between Greensboro and Kenly, NC, on the one hand, and, on the other, New York, NY,

Wilmington, NC and Norfolk, VA, including their commercial zones, Restricted to shipments having a prior or subsequent movement by water or air, under contract with E.R. Squibb & Sons, Inc., Princeton, NJ. Supporting shipper: E.R. Squibb & Sons, Inc.

MC 146632 (Sub-1-2TA), filed April 8, 1980. Applicant: BETS TRUCK LEASING, INC., P.O. Box 1050, Bennington, Vermont 05201. Representative: James M. Burns, 1383 Main Street, Springfield, MA 01103. *Contract carrier*: irregular routes: *molded plastic parts and equipment, materials and supplies used in the manufacture of molded plastic parts*, between points in VT and points east of MT, WY, CO and AZ, restricted to a service performed under a continuing contract or contracts with Mack Molding Company, Arlington, VT 05250. Supporting shipper(s): Mack Molding Company, Arlington, VT 05250.

MC 144061 (Sub-1-3TA), filed March 7, 1980. Applicant: SICOMAC CARRIERS, INC., 347 Sicomac Avenue, Wyckoff, NJ 07481. Representative: Jack L. Schiller, 345 Webster Avenue, Brooklyn, NY 11230. (1) *Petroleum oils and liquid chemicals*, in bulk, from the facilities of Amoco Chemicals Corporation located at or near Willow Springs and Wood River, IL, and Griffith, IN, to points in AL, AR, FL, GA, IN, IL, KY, LA, MI, MS, NJ, NY, NC, OH, OK, PA, TX, VA, and WV. (2) *Petroleum oils and liquid chemicals*, in bulk, from Wood River, IL to Joliet, IL. Conditions: (1) Restricted in (1) and (2) above to service to be performed under a contract or continuing contracts with Amoco Chemicals Corp. of Chicago, IL. (2) Restricted in (2) above to traffic having a prior movement by water. Supporting shipper: Amoco Chemicals Corp., 200 East Randolph Drive, Chicago, IL 60680.

MC 144407 (Sub-1-1TA), filed April 7, 1980. Applicant: DECKER TRANSPORT COMPANY, INCORPORATED, 412 Route 23, Pompton Plains, NJ 07444. Representative: George A. Olsen, P.O. Box 357, Gladstone, NJ 07934. *Fans and ventilators, and materials, equipment and supplies used in the manufacture, sale, and installation of fans and ventilators*, between New Britain, CT, on the one hand, and, on the other, points in the states of OH, IN, IL, MO, NY, and PA. Supporting shipper(s): Tuttle & Bailey, Div. of Interpace Corp., 215 Warren St., New Britain, CT 06050.

MC 149335 (Sub-1-1TA), filed April 4, 1980. Applicant: ROUST VEHICLES, INC., 275 Glidden Road, Brampton, Ontario, Canada L6W 1H9. Representative: Robert D. Gunderman, Esq., Suite 710 Statler Bldg., Buffalo, NY

14202. (1) *molded plastic and fibre products*; (2) *fertilizer and fertilizer ingredients*; and (3) *materials, supplies and equipment used in the manufacture, production, sale or distribution of such products*, between ports of entry on the International Boundary line between the US and Canada in NY and MI, on the one hand, and, on the other, points in AL, AR, CA, CO, CT, DE, FL, GA, IL, IN, IA, KS, KY, LA, MA, MD, MI, MO, MT, MN, MS, NJ, NY, NM, NC, NE, NV, OK, OH, PA, RI, SC, VA, VT, WI, WA, TN, TX and DC. Restricted to the transportation of traffic, in foreign commerce, transported under a continuing contract or contracts with Kord Products Limited, Dacheim Limited and Plantco Inc. Supporting shippers: Plantco Inc., 314 Orenda Road, Brampton, Ontario. Dacheim Limited, 275 Glidden Road, Brampton, Ontario L6W 1H9. Kord Products Limited, 390 Orenda Road, Brampton, Ontario, Canada L6T 1G8.

Note.—Applicant, Kord Products Limited and Dacheim Limited are commonly owned and controlled.

MC 2860 (Sub-1-6TA), filed March 27, 1980. Applicant: NATIONAL FREIGHT, INC., 71 West Park Avenue, Vineland, NJ 08360. Representative: Gerald S. Duzinski, 71 West Park Avenue, Vineland, NJ 08360. *Plastic articles (except commodities in bulk)* from the facilities of Amoco Foam Products Co., between all points in the United States, except Alaska and Hawaii, restricted to plantsites.

MC 6252 (Sub-1-1TA), filed April 7, 1980. Applicant: TEAL'S EXPRESS, INC., 36 Laura Street, Lyons Falls, New York. Representative: Roy D. Pinsky, Esq., Pinsky and Pliskin, Suite 1020—State Tower Building, Syracuse, New York 13202. *General Commodities (except those of unusual value, Classes A and B explosive, household goods as defined by the Commission, commodities in bulk and those requiring special equipment)*, between Utica, NY, on the one hand, and, on the other points in Albany, Columbia, Fulton, Greene, Montgomery, Rensselaer, Saratoga, Schenectady and Schoharie Counties, NY. Supporting shipper: Carolina Freight Carriers Corporation, P.O. Box 697, Cherryville, North Carolina 28021. Applicant intends to Interline with other carriers at Utica, NY.

MC 48956 (sub-1-2TA), filed April 7, 1980. Applicant: JAMES FLEMING TRUCKING, INC., 761 East Street, Suffield, CT 06078. Representative: S. Michael Richards, P.O. Box 225, Webster, NY 14580. *Contract carrier: irregular routes: canned foodstuffs, bakery goods, chips, twists or puffs and*

pet food, from Camden, NJ to points in CT, MA, and RI, for the account of Campbell Soup Company. Supporting shipper(s): Campbell Soup Company, 100 Market Street, Camden, NJ 08102.

MC 150470 (Sub-1-1TA), filed April 7, 1980. Applicant: HAWKS EXPRESS, INC., 32 Jacobus Ave., South Kearney, NJ 07032. Representative: Paul J. Keeler, P.O. Box 253, South Plainfield, NJ 07080. *Contract carrier, irregular route: (1) scrap plastic materials, except in bulk, in tank vehicles, from points in CT, DE, GA, ME, MA, MD, NH, NY, NC, OH, PA, RI, SC, VT, VA and WV to South Kearney, NJ and (2) recycled plastic raw materials, except in bulk, in tank vehicles, from South Kearney, NJ to points in CT, DE, GA, ME, MA, MD, NH, NY, NC, OH, PA, RI, SC, VT, VA and WV, under a continuing contract or contracts with Enplax Corp., Nutley, NJ 07110. Supporting shipper: Enplax Corp., Nutley, NJ 07110.*

MC 144122 (Sub-1-3TA), filed April 4, 1980. Applicant: CARRETTA TRUCKING, INC., S 160 Route 17 North, Paramus, NJ 07652. Representative: Joseph Carretta (same as above). *Chemicals (except in bulk)*, from the facilities of Lonza, Inc. at Mapleton and Peoria, IL; Gary, IN; and Houston, TX to Totowa, NJ. Supporting shipper(s): Lonza, Inc. 22-10 Route 208, Fairlawn, NJ 07410.

THE FOLLOWING APPLICATIONS WERE FILED IN REGION 2. SEND PROTESTS TO: ICC, FEDERAL RESERVE BANK BLDG., 101 N. 7TH ST. ROOM 620, PHILADELPHIA, PA 19106.

MC 145791 (Sub-2-1), filed April 7, 1980. Applicant: JAMES B. MILLER, t.d.b.a., J. B. MILLER ENTERPRISES, 405 Hansen Ave., Butler, PA 16001. Representative: Arthur J. Diskin, 806 Frick Bldg., Pittsburgh, PA 15219. *Contract: Irregular: Cleaning compounds, toilet preparations, jewelry, food supplements, cooking utensils, and other merchandise supplies, equipment supplies, sold, used or distributed by Amway Corporation, (1) from Butler, PA, to points in WV, on and north of U.S. Hwy 50, and vice versa; and to points in PA on and west of U.S. Hwy 15, and vice versa; and (2) from Dayton, NJ, to Butler, PA, and vice versa; under continuing contract(s) with Amway Corporation, of Dayton, NJ. Supporting shipper: Amway Corporation, 7575 East Fulton, Ada, MI 49301.*

MC 107012 (Sub-2-17), filed April 9, 1980. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Highway 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David Bishop, P.O. Box 988, Fort Wayne, IN 46801. *Foodstuffs and pet food from the*

facilities of Nabisco, Inc. located at or near Buffalo, NY, Niagara Falls, NY and Denver, CO to the facilities of Nabisco, Inc. located at or near Charlotte, NC, Atlanta, GA, Jacksonville, FL, Chicago, IL and Toledo, OH for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Nabisco, Inc., East Hanover, NJ 07936.

MC 110686 (Sub-2-1TA), filed April 3, 1980. Applicant: McCORMICK DRAY LINE, INC., Avis, PA 17721. Representative: David A. Sutherland, 1150 Connecticut Ave., NW, Suite 400, Washington, DC 20036. (1) *Water heaters, hot water storage tanks, household heating boilers and solar collector equipment, from Kankakee, IL, on the one hand, and, on the other, points in CT, DE, MD, MA, NC, NJ, NY, PA, RI, SC, TN, VA, WV and DC, and (2) equipment, materials and supplies used in the manufacture of the commodities described in (1) on return. Supporting shipper: A. O. Smith Corporation, P.O. Box 28, Kankakee, IL 60901.*

MC 107012 (Sub-2-16), filed April 3, 1980. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Highway 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop, P.O. Box 988, Fort Wayne, IN 46801. *Such merchandise as dealt in or used by Wal-Mart Stores, Inc., from points in CT, NJ, and RI to the facilities of Wal-Mart Stores, Inc., at or near Searcy and Bentonville, AR, Springfield, MO and Palestine, TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Wal-Mart Stores, Inc., P.O. Box 116, Bentonville, AR 72712.*

Note.—Common control may be involved.

MC 150081 (Sub-2-1), filed April 2, 1980. Applicant: LINDEN L. MESSICK, INC., 504 Chestnut St., Milton, DE 19968. Representative: Linden L. Messick (same as applicant). *Canned seafood from Cannon, DE to points in AL, AR, AZ, CO, CT, CA, FL, GA, IA, KY, LA, MA, MO, NE, NV, NC, NY, ME, KS, TX, SC, TN, VA, WV, UT and return for 180 days. An underlying ETA seeks 90 days authority. Applicant intends to tack authority sought herein with authority held under MC 150081. Supporting shipper(s): American Original Corp., 215 High St., Seaford, DE 19975.*

MC 107012 (Sub-2-19), filed April 4, 1980. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Highway 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David D. Bishop, P.O. Box 988, Fort Wayne, IN 46801. *Barbecue grills and camping equipment, from the facilities of Neosho Products Co. located at or near Neosho, MO to points in AL, CT, DE, DC, FL, GA, LA, MA, MD, ME, MI, MN, MS, NH, NJ, NY,*

NC, OH, PA, RI, SC, TX, VA, VT, WV and WI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Neosho Products Co., Division of Sunbeam Corp., P.O. Box 622, Neosho, MO 64850.

Note.—Common control may be involved.

MC 107012 (Sub-2-18), filed April 9, 1980. Applicant: NORTH AMERICAN VAN LINES, INC., 5001 U.S. Highway 30 West, P.O. Box 988, Fort Wayne, IN 46801. Representative: David Bishop, P.O. Box 988, Fort Wayne, IN 46801. *Air conditioners*, from the facilities of Emerson Quiet Kool Corp. located at or near Woodbridge, NJ to points in AZ, AR, CA, CO, ID, IN, IA, KS, KY, LA, MI, MN, MS, MO, MT, NE, NV, NM, ND, OH, OK, OR, SD, TN, TX, UT, WA, WI and WY, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Emerson Quiet Kool Corp., St. George and Woodbine Ave., Woodbridge, NJ 07095.

MC 144982 (Sub-2-1TA), filed April 2, 1980. Applicant: OHIO PACIFIC EXPRESS, INC., 683 East Broad St., Columbus, OH 43215. Representative: Harry F. Horak, Suite 115, 5001 Brentwood Stair Rd., Fort Worth, TX 76112. *Metal and wood buildings KD, and building materials in boxes*, from the facilities of Robco Products, Inc. at or near Niles, OH to points in AZ, CA, CO, ID, MT, NV, NM, OR, UT, WA and WY. An underlying ETA seeks 90 days authority. Supporting shipper: Robco Products, Inc., 950 Summit Ave., Niles, OH 44446.

MC 150239 (Sub-2-1), filed April 4, 1980. Applicant: PACESETTER TRANSPORT, Div., Edgemere Terminals, Inc., 8004 Stansbury Rd., Baltimore, MD 21222. Representative: Chester A. Zyblut, 366 Executive Bldg., 1030 Fifteenth St., NW, Washington, DC 20005. (1) *Aluminum billets, aluminum ingots, aluminum slabs and aluminum plate or sheet*, from the facilities of Eastalco, near Frederick, MD to points in NY, NJ, PA, DE, MD, VA and DC; (2) *Aluminum and aluminum products* between Lancaster, PA and the facility of Eastalco Aluminum Co., near Frederick, MD and Baltimore, MD restricted to foreign commerce only; and (3) *Iron and steel articles*, from Baltimore, MD and points in its commercial zone (except from the facilities of Bethlehem Steel Corp.), to points in MD, PA, NJ, NY, DE, VA, and DC for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): There are 6 supporting shippers. Their statements may be examined at the office listed below.

MC 85561 (Sub-II-1TA), filed April 4, 1980. Applicant: OLIVER TRUCK LINES,

INC., 1238 South Cleveland-Massillon Rd., Akron, OH 44321. Representative: David A. Turano, 100 East Broad St., Columbus, OH 43215. *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk and those requiring special equipment) between points in Lordstown Township, Trumbull County, OH, on the one hand, and, on the other, points in OH restricted to traffic having a prior or subsequent movement by rail for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: Burton Rubber Processing, Inc., 14330 Kinsman Rd., Burton, OH 44021. Regal Ware, Inc., 770 Spruce St., Wooster, OH 44691. The Sherwin Williams Co., Caroline & Myron St., Hubbard, OH 44425. Itofca, Inc., 6650 Pearl Rd. Parma Heights, OH 44130.

MC 113828 (Sub-2-9TA), filed April 8, 1980. Applicant: O'BOYLE TANK LINES, INC., P.O. Box 30006, Washington, DC 20014. Representative: William P. Sullivan, 1320 Fenwick Lane, Silver Spring, MD 20910. *Liquid chemicals* from points in NJ, NY, PA, DE, MD, NC, SC, TN, GA, WV, KY, AL, MI, IN, IL and OH to Norfolk, VA for 180 days. Supporting Shipper(s): Virginia Chemicals, Inc., 3340 West Norfolk Rd., Portsmouth, VA 23703.

MC 150473 (Sub-2-1), filed April 4, 1980. Applicant: O'BOYLE TANK LINES, INC., P.O. Box 30006, Washington, DC 20014. Representative: William P. Sullivan, 1320 Fenwick Lane, Silver Spring, MD 20910. *Contract; irregular: (1) Sulfuric acid from Delaware City, DE (Getty) to MD, NJ, NY, PA, VA, DC, and WV; (2) Spent sulfuric acid from MD, NJ, NY, PA, VA, DC, and WV to DE for 180 days. An underlying ETA seeks 90 days authority. Supporting Shipper(s): Allied Chemical Corp., P.O. Box 1139R, Morristown, NJ 07960.*

MC 113828 (Sub-2-8TA), filed April 7, 1980. Applicant: O'BOYLE TANK LINES, INC., P.O. Box 30006, Washington, DC 20014. Representative: William P. Sullivan, 1320 Fenwick Lane, Suite 500, Silver Spring, MD 20910. *Lime*, from Saltville, VA to NC, TN, GA, AL, SC, KY, WV, and OH, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Greer Lime Company, P.O. Box FF, Saltville, VA 24370.

MC 150445 (Sub-2-1), filed April 9, 1980. Applicant: ALFONSO V. MANGIONE, 510 S. Main St., Pittston, PA 18640. Representative: Joseph F. Hoary, 121 S. Main St., Taylor, PA 18517. *Coal* from Ashley, Hazelton and Shenandoah, PA to CT, MA and RI and from Lackawanna and Luzerne Counties to Binghamton, NY for 180 days. An

underlying ETA seeks 90 days authority. Supporting shipper(s): Lehigh Valley Coal Sales, Co., P.O. Box 450, Pittston, PA 18640. Vashina Coal & Fuel Co., Brown St., Binghamton, NY.

MC 112588 (Sub-2-2), filed April 3, 1980. Applicant: RUSSELL TRUCKING LINE, INC., 2011 Cleveland Rd., Sandusky, OH 44870. Representative: David A. Turano, 100 E. Broad St., Columbus, OH 43215. *Pipe* from the facilities of Midway Supply Div., Bastian-Blessing Co., Inc., located in the Lower Peninsula of MI, to points in OH and PA for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Midway Supply Div., Bastian-Blessing Co., Inc., P.O. Box 731, Jackson, MI 49204.

MC 114969 (Sub-2-3TA), filed April 4, 1980. Applicant: PROPANE TRANSPORT, INC., 1734 State Route 131, P.O. Box 232, Milford, OH 45150. Representative: Norman R. Gavin, 1301 Merchants Plaza, Indianapolis, IN 46204. *Liquefied petroleum gas*, from Kankakee, IL to Lebanon, Noblesville, Crown Point, Flora, Marion, and Goshen, IN for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Pyrofax Gas Corp., P.O. Box 2521, Houston, TX 77001.

MC 106920 (Sub-2-3TA), filed April 9, 1980. Applicant: RIGGS FOOD EXPRESS, INC., West Monroe St., P.O. Box 26, New Bremen, OH 45869. Representative: David C. Venable, Suite 805, 666 Eleventh St. NW., Washington, DC 20001. *Common; irregular Charcoal, charcoal products and fabricated fireplace logs*, from Scotia, NY to points in CT, DE, DC, MD, MA, RI, and VA. An underlying ETA seeks 90 days authority. Supporting shipper: Husky Industries, Inc., 62 Perimeter Center East, Atlanta, GA 30346.

MC 94265 (Sub-II-9TA), filed April 9, 1980. Applicant: BONNEY MOTOR EXPRESS, INC., P.O. Box 305—Route 460, Windsor, VA 23487. Representative: Clyde W. Carver, P.O. Box 720434, Atlanta, GA 30328. *Toilet preps and related sundries carried by retail chains* from warehouse and storage facilities utilized by Supreme Distributors Co. and/or Advance Promotions, Inc. at Detroit, MI to points in FL for 180 days. Supporting shipper: Supreme Distributors, Advance Promotions, Inc., 6501 E. McNichols, Detroit, MI 48205, 5570 Bellvue, Detroit, MI 48211.

MC 138438 (Sub-II-4TA), filed April 9, 1980. Applicant: D. M. BOWMAN, INC., Rt. 2, Box 43A1, Williamsport, MD 21795. Representative: Edward N. Button, 580 Northern Ave., Hagerstown, MD 21740. *Malt beverages*, from Newark, NJ and

Pabst, GA, and their respective commercial zones, to the facilities of Fisher Distributing Co., Inc. at or near Frederick, Maryland, and its commercial zone. Supporting shipper(s): Fisher Distributing Co., Inc., Evergreen Point, Frederick, MD 21701.

Note.—Dual operations may be involved.

THE FOLLOWING APPLICATIONS WERE FILED IN REGION 3. SEND PROTESTS TO ICC, REGIONAL AUTHORITY CENTER, P.O. BOX 7520, ATLANTA, GA 30357.

MC 114552 (Sub-3-1TA), filed February 15, 1980. Republication originally published in Federal Register of 03-24-80, Page 19084, Volume 45, No. 58. Applicant: SENN TRUCKING COMPANY, P.O. Drawer 220, Newberry, South Carolina 29108. Representative: Kim G. Meyer, Watkins & Daniell, P. C., P.O. Box 872, Atlanta, Georgia 30301. *Waste of scrap paper from points in AR, TN, KY, LA, MS, FL and AL to the facilities of Georgia Kraft Corporation at or near Macon, GA for 180 days. An underlying ETA seeks 90 days authority.* Supporting shipper: The Mead Corporation, Courthouse Plaza Northeast, Dayton, OH 45463.

MC 56679 (Sub-3-9TA), filed April 10, 1980. Applicant: BROWN TRANSPORT CORP., 352 University Ave., SW., Atlanta, GA 30310. Representative: Leonard S. Cassell (same as applicant). *General commodities, with usual exceptions, Route #1: (a) Between Jacksonville, FL and Savannah, GA and points in the Jacksonville, FL and Savannah, GA Commercial Zones, on the one hand, and, on the other, points in AL, GA and TN. (b) Between Jacksonville, FL and points in the Jacksonville Commercial Zone, on the one hand, and, on the other, points in FL. Route #2: (a) Between points in FL, on the one hand, and, on the other, points in AL, FL, GA and TN. (b) Between points in GA, on the one hand, and, on the other, points in AL, FL, GA and TN. Carrier is authorized to interline, also, to tack this authority with its present or future regular routes.* There are 69 supporting shippers.

MC 112520 (Sub-3-2TA), filed April 10, 1980. Applicant: McKENZIE TANK LINES, INC., P.O. Box 1200, Tallahassee, FL 32302. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202. *Diesel Fuel, in bulk, in tank vehicles, from the Naval Fuel Depot, Jacksonville, FL, to the U.S.S. Oakridge, Kings Bay, GA. Supporting shipper: U.S. Army Legal Services Agency, Department of Defense, Room 422, Nassif Building, Falls Church, VA 22041.*

MC 150536 (Sub-3-1TA), filed April 10, 1980. Applicant: THE STACY WILLIAMS CO., INC., P.O. Box 10884, Birmingham, AL 35202. Representative: Robert E. Tate, P.O. Box 517, Evergreen, AL 36401. *Sugar, corn syrup and blends thereof, between Birmingham, AL on the one hand, and, on the other, points in AR, FL, GA, MS, TN, and LA. Supporting shipper: Archer Daniels Midland Company, 4550 W. 109th Street; Overland Park, KS 66211.*

MC 105782 (Sub-3-1TA), filed March 10, 1980. Republication—originally published in Federal Register of 03-24-80 Page 19075 Volume 45, No. 58. Applicant: HUGHES REFRIGERATED EXPRESS, INC., P.O. Box 2160, Haines City, FL 33844. Representative: James E. Wharton, Suite 811, Metcalf Bldg., 100 South Orange Ave., Orlando, FL 32801. *Frozen foods, (except commodities in bulk), from the facilities of Southern Foods, Division of Seabrook Farms, Inc. at or near Montezuma, GA to points in CT, FL, IN, IL, MA, MD, MI, NC, OH, RI, SC, TN, VA, and DC. Restricted to traffic originating at named origin.* Supporting shipper: Southern Frozen Foods, Inc., P.O. Box 306 Plant St., Montezuma, GA 31063.

MC 115311 (Sub-3-3TA), filed February 19, 1980. Republication—originally published in Federal Register of 03-24-80 Page 19078 Volume 45, No. 58. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, GA 31061. Representative: Kim G. Meyer, P.O. Box 872, Atlanta, GA 30301. *Alcoholic liquors (except in bulk) from Asheville, NC; Baltimore, MD; Bardstown, KY; Boston, MA; New York, NY; Chicago, IL; Clermont, KY; Cincinnati, OH; Falmouth, KY; Cleveland, OH; Colonial Heights, VA; Dayton, NJ; Detroit, MI; Edison, NJ; Frankfort, KY; Hammondsport, NY; Landsdowne, MD; Lawrenceburg, IN; Lawrenceville, NJ; Lawrenceburg, KY; Lawrenceburg, TN; Linden, NJ; Linfield, PA; Loretto, KY; Louisville, KY; Lynchburg, TN; Mobile, AL; New Orleans, LA; Owensboro, KY; Pekin, IL; Philadelphia, PA; Plainfield, IL; Raleigh, NC; Schenley, PA; Scobeyville, NJ; Tullahoma, TN (and their respective commercial zones) to Montgomery, AL (and its commercial zone). Supporting shippers: There are ten statements of support.*

MC 142181 (Sub-3-1TA), filed March 13, 1980. Republication—originally published in Federal Register of 03-24-80 Page 19075 Volume 45, No. 58. Applicant: LIBERTY CONTRACT CARRIER, INC., 214 Hermitage Ave., Nashville, TN 37202. Representative: Robert L. Baker, 618 United American

Bank Bldg., Nashville, TN 37219. *Contract, irregular: (1) Such commodities as are dealt in or sold by a manufacturer of metal products, and (2) equipment, materials and supplies used in the conduct of such business between Nashville, TN, on the one hand, and points in WI on the other. Supporting shipper: Cincinnati Sheet Metal and Roofing Company, 130 Nester St., Nashville, TN 37210.*

MC 112617 (Sub-3-5TA), filed March 28, 1980. Applicant: LIQUID TRANSPORTERS, INC., 1292 Fern Valley Road, P.O. Box 21395, Louisville, Kentucky 40221. Representative: Larry W. Thompson, Traffic Manager (same address as applicant). *Liquid Chemicals, in bulk, in tank vehicles, from the plantsite of Rohm and Haas Company, at or near Knoxville, Tennessee, to AR, CO, CT, IL, IN, IA, KS, KY, MA, MI, MN, MO, NJ, NY, OH, OK, PA, RI, TX, VT, WV & WI. Supporting shipper: Rohm and Haas Company, Independence Mall West, Philadelphia, PA 19105.*

MC 105782 (Sub-3-1TA), filed March 10, 1980. Republication—originally published in Federal Register of 03-24-80 Page 19075 Volume 45, No. 58. Applicant: HUGHES REFRIGERATED EXPRESS, INC., P.O. Box 2160, Haines City, FL 33844. Representative: James E. Wharton, Suite 811, Metcalf Bldg., 100 South Orange Ave., Orlando, FL 32801. *Frozen foods, (except commodities in bulk), from the facilities of Southern Foods, Division of Seabrook Farms, Inc. at or near Montezuma, GA to points in CT, FL, IN, IL, MA, MD, MI, NC, OH, RI, SC, TN, VA, and DC. Restricted to traffic originating at named origin.* Supporting shipper: Southern Frozen Foods, Inc., P.O. Box 306 Plant St., Montezuma, GA 31063.

MC 115311 (Sub-3-3TA), filed February 19, 1980. Republication—originally published in Federal Register of 03-24-80 Page 19078 Volume 45, No. 58. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 488, Milledgeville, GA 31061. Representative: Kim G. Meyer, P.O. Box 872, Atlanta, GA 30301. *Alcoholic liquors (except in bulk) from Asheville, NC; Baltimore, MD; Bardstown, KY; Boston, MA; New York, NY; Chicago, IL; Clermont, KY; Cincinnati, OH; Falmouth, KY; Cleveland, OH; Colonial Heights, VA; Dayton, NJ; Detroit, MI; Edison, NJ; Frankfort, KY; Hammondsport, NY; Landsdowne, MD; Lawrenceburg, IN; Lawrenceville, NJ; Lawrenceburg, KY; Lawrenceburg, TN; Linden, NJ; Linfield, PA; Loretto, KY; Louisville, KY; Lynchburg, TN; Mobile, AL; New Orleans, LA; Owensboro, KY; Pekin, IL; Philadelphia, PA; Plainfield,*

IL; Raleigh, NC; Schenley, PA; Scobeyville, NJ; Tullahoma, TN (and their respective commercial zones) to Montgomery, AL (and its commercial zone). Supporting shippers: There are ten statements of support.

MC 142181 (Sub-3-1TA), filed March 13, 1980. Republication—originally published in Federal Register of 03-24-80 Page 19075 Volume 45, No. 58.

Applicant: LIBERTY CONTRACT CARRIER, INC., 214 Hermitage Ave., Nashville, TN 37202. Representative: Robert L. Baker, 618 United American Bank Bldg., Nashville, TN 37219. *Contract, irregular: (1) Such commodities as are dealt in or sold by a manufacturer of metal products, and (2) equipment, materials, and supplies used in the conduct of such business between Nashville, TN, on the one hand, and points in WI on the other. Supporting shipper: Cincinnati Sheet Metal and Roofing Company, 130 Nester St., Nashville, TN 37210.*

MC 114604 (Sub-3-4TA), filed April 1, 1980. Applicant: CAUDEL TRANSPORT, INC., P.O. Drawer I, State Farmers Market #33, Forest Park, GA 30050. Representative: Frank D. Hall, Postell & Hall, P.C., Suite 713, 3384 Peachtree Road, NE, Atlanta, GA 30326. *Canned and bottled foodstuffs, and pepper pulp in drums, from the facilities of Bruce Foods Corporation at or near Wilson, NC to points in AL, FL, GA, LA, SC, TN and MS. Supporting shipper: Bruce Foods Corporation, P.O. Drawer 1030, New Iberia, LA 70560.*

MC 147087 (Sub-3-1TA), filed April 2, 1980. Applicant: INTERSTATE CARTAGE CO., INC., 550 Donaldson Center, Greenville, SC 29605. Representative: John H. Lumpkin, Jr., 1250 SCN Center, Columbia, SC 29201. *(1) edible and inedible oils, esters, cleaning and washing compounds, wax, softer textile, fireproofing compounds, chemicals (except in bulk, in tank vehicles) and (2) materials and supplies used in the manufacture, distribution and sale of the commodities (except in bulk, in tank vehicles) between Greenville County, SC and points and places in NC, GA and Chattanooga, TN. Supporting shipper: There are five statements of support.*

MC 147062 (Sub-3-1TA), filed March 31, 1980. Applicant: EXPRESS TRANSPORTATION COMPANY, P.O. Box 789, Chattanooga, TN 37401. Representative: Ralph B. Matthews, Attorney, Watkins & Daniell, P.C., P.O. Box 872, Atlanta, GA 30301. *General commodities, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and*

those requiring the use of special equipment between the facilities of Express Transportation Company and/or piggy back ramps located at Atlanta, GA, Birmingham, AL, Chattanooga, Knoxville, and Nashville, TN on the one hand, and, on the other, points in the States of AL, GA, and TN. Supporting shipper: Action Shipper Association, 2301 Riverside Drive, Chattanooga, TN 37401.

MC 56637 (Sub-3-2TA), filed April 7, 1980. Applicant: R C A TRUCK LINES, INC., P.O. Box 1027, Cartersville, GA 30120. Representative: Paul M. Daniell, P.O. Box 872, Atlanta, GA 30301. *General Commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and commodities requiring special equipment) between Memphis, TN and Corinth, MS (1) from Memphis, TN over U.S. Hwy 72 to Corinth, MS, and return over the same route, serving all intermediate points; (2) from Memphis, TN, over U.S. Hwy 64 to Selmer, TN, then over U.S. Hwy 45 to Corinth, MS, and return over the same route, serving all intermediate points.*

Note.—Applicant intends to tack this authority with present authority held in MC 56637 and to interline at Memphis, Birmingham, Chattanooga and Atlanta. Supporting shipper: There are 23 shippers.

MC 141699 (Sub-3-1TA), filed April 4, 1980. Applicant: WORSLEY TRANSPORT, INC., North Norwood Street, Wallace, NC 28466. Representative: Herbert Alan Dubin, Baskin and Sears, 1320 Fenwick Land, Silver Spring, MD 20910. *Contract carrier, irregular. Gasoline, in bulk, in tank vehicles, from Selma and Wilmington, NC to Horry County, SC. Supporting shipper: Goldfinch Petroleum Distributors, Inc. Conway, SC 28466.*

MC 111302 (Sub-3-3TA), filed April 1, 1980. Applicant: HIGHWAY TRANSPORT, INC., P.O. Box 10108, Knoxville, Tennessee 37919. Representative: David A. Petersen, P.O. Box 10108, Knoxville, Tennessee 37919. *Liquid chemicals, in bulk, in tank vehicles, from Williamsburg, VA and Charlotte, NC to the facilities of Cargill, Inc. in Forest Park, GA. Supporting shipper: Cargill, Inc. 71 Barnett Rd., Forest Park, GA.*

MC 143276 (Sub-3-2TA), filed March 27, 1980. Applicant: WEAVER TRANSPORTATION CO., 5452 Oakdale Rd., Smyrna, GA 30080. Representative: James L. Brazee, Jr., P.O. Box 32309, Decatur, GA 30032. *Dolomitic pulverized limestone from Scott County, VA, to all points and places in the states of NC, SC, and TN. Supporting shipper: Luttrell*

Mining Co., P.O. Box 11705, Knoxville, TN 37919.

MC 69492 (Sub-3-1TA), filed March 28, 1980. Applicant: HENRY EDWARDS d.b.a. HENRY EDWARDS TRUCKING COMPANY, P.O. Box 97, Clinton, KY 42301. Representative: Roland M. Lowell, 618 United American Bank Building, Nashville, Tennessee 37219. *Steel containers from the facilities of Hoover Universal at or near Dyersburg, TN to Crowley, TX, Eden, NC, Albany, GA, St. Louis, MO and Columbus, OH and the commercial zone of each. Supporting shipper: Hoover Universal, 1901 Sylvan Road, Dyersburg, TN 38024.*

MC 140330 (Sub-3-2TA), filed April 3, 1980. Applicant: DEPENDABLE TANK LINES, INC. d.b.a. DEPENDABLE TRUCK LINES., Route 1, Box 94, Red Level, AL 36474. Representative: Robert E. Tate, P.O. Box 517, Evergreen, AL 36401. *Contract carrier, over irregular routes, Urea Resin, in bulk, from River Falls, AL to Bradford, PA. Supporting shipper: Chembond Corporation, River Falls, AL.*

MC 133221 (Sub-3-1TA), filed April 2, 1980. Applicant: OVERLAND CO., INC., 1991 Buford Hwy, Lawrenceville, GA 30245. Representative: W. D. Beaver (same address as applicant). *Fireplaces, parts for fireplaces, and fireplace accessories, from the facilities of Marco Industries, Inc., at or near Lynwood, CA, or Louisville, KY, to points in the United States (except AK and HI). Supporting shipper: Marco Industries, Inc., 8191 National Turnpike Louisville, KY 40214.*

MC 144688 (Sub-3-4TA), filed March 31, 1980. Applicant: READY TRUCKING, INC., 2717 Campbell Blvd., Ellenwood, GA 30049. Representative: Lavern R. Holdeman, Peterson, Bowman & Johanns, 521 South 14th Street, P.O. Box 81849, Lincoln, ME 68501. *Office furniture and parts, materials and supplies used in the manufacture, sale or distribution of office furniture (except in bulk), from the facilities of United Chair Co., a division of USI, Inc., at or near Leeds, AL, to points in the states of AR, FL, GA, OK, SC, and TN. Supporting shipper: United Chair Company, Benjamin Birkenfeld, Jr., Traffic Manager, P.O. Box 96, Leeds, AL 35094.*

MC 140342 (Sub-3-1TA), filed April 7, 1980. Applicant: RICHARD SISSON, 523 Valley View, Philadelphia, MS 39350. Representative: Donald B. Morrison, 1500 Deposit Guaranty Plaza P.O. Box 22628, Jackson, MS 39205. *Wood residuals (except in bulk, in tank vehicles) from the facilities of Weyerhaeuser Company at or near Bruce, MS to Counce, TN. Supporting shipper: Weyerhaeuser Company, P.O. Box 2288, Columbus, MS.*

MC 95540 (Sub-3-4TA), filed April 7, 1980. Applicant: WATKINS MOTOR LINES, INC., 1144 West Griffin Road, P.O. Box 1636, Lakeland, FL 33802. Representative: Benjy W. Fincher, General Traffic Manager, Watkins Motor Lines, Inc., 1144 West Griffin Road, P.O. Box 1636, Lakeland, FL 33802. *Medical supplies* from Deland, FL and its Commercial Zone to Dallas and Fort Worth, TX and their Commercial Zones. Supporting shipper: Monoject Division of Sherwood Medical, 2010 New Daytona Road, Deland, FL 32720.

MC 147100 (Sub-3-1TA), filed March 24, 1980. Applicant: TRANSWEST, INC., Post Office Box 1791, Gastonia, NC 28052. Representative: William P. Farthing, Jr., 1100 Cameron-Brown Building, Charlotte, NC 28204. *Hot tops, and materials and supplies used in the manufacture and installation of hot tops*, between Conneaut, OH, and Marshall, TX, on the one hand, and points in KS, OK, MO, AL, TX, PA and LA on the other. Supporting shipper: Exomet, Inc., Post Office Box 647, Conneaut, OH 44030.

Note.—Applicant is presently operating under underlying emergency temporary authority, docket number MC-147100 R3-1.

MC 119777 (Sub-3-8TA), filed April 3, 1980. Applicant: LIGON SPECIALIZED HAULER, INC., Highway 85—East, Madisonville, KY 42431. Representative: Carl U. Hurst, P.O. Drawer "L", Madison, KY 42431. (1) *Feeds, milk replacer, scour treatment, vitamins and supplements and, (2) oats in mixed shipments with commodities in (1) above*, from St. Ansgar, IA to points in OH, TN, IL, IN and KY. Supporting shipper: Vendors Industries, Inc., 53 Rossenberry St., Alliance, OH 44601.

MC 145559 (Sub-3-3TA), filed April 3, 1980. Applicant: NORTH ALABAMA TRANSPORTATION, INC., Post Office Box 38, Ider, AL 35981. Representative: William P. Jackson, Jr., 3426 N. Washington Boulevard, Post Office Box 1240, Arlington, VA 22210. *General commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment)*, between Los Angeles, CA, on the one hand, and, on the other, points in OR and WA, and points in and east of ND, SD, NE, KS, OK and TX. Restriction: Restricted to traffic moving on bills of lading of a non-profit shipper association. Supporting shipper(s): MSA-LAMDA, Inc. and Import Export Shippers Cooperative, Inc.

MC 143329 (Sub-3-1TA), filed April 3, 1980. Applicant: MANOR AUTO BODY, INC., d.b.a. MANOR AUTO CARRIERS,

1166 N.E. 24th Court, Fort Lauderdale, FL 33305. Representative: Arthur J. Cerra, 2100 TenMain Center, P.O. Box 19251, Kansas City, MO 64141. *Motor vehicles, in secondary movements, in truckaway service, between points in FL and points in CT, GA, LA, NC, NJ, NY, PA, SC, VA and WV*. There are six supporting shippers.

MC 148788 (Sub-3-1TA), filed March 7, 1980. Republication—originally published in *Federal Register* of March 24, 1980, page 19077, volume 45, No. 58. Applicant: PORT CARRIERS, INC., 1000 Farragut Drive, P.O. Box 26344, Jacksonville, FL 32218. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202. (1) *General commodities (except those of unusual value, Classes A & B explosives, commodities in bulk, commodities requiring special equipment, and household goods as defined by the Commission), in containers, reefers or dry, bonded or non-bonded or trailers having an immediate prior or subsequent movement by water and (2) Empty containers, trailers and trailer chassis*, between Charleston, SC; Savannah, GA; Jacksonville, Orlando and Tampa, FL. Supporting shippers: Harrington & Company, Inc., P.O. Box 3157, Jacksonville, FL 32206; South Atlantic Terminals, Inc., 720 Gulf Life Tower, Jacksonville, FL 32207; Strachan Shipping Company, P.O. Box 4010, Jacksonville, FL; Thomas L. Watkins, Custom House Brokers, P.O. Box 1194, Jacksonville, FL 32201.

MC 56637 (Sub-3-1TA), filed April 9, 1980. Applicant: R C A TRUCK LINES, INC., P.O. Box 1027, Cartersville, GA 30120. Representative: Paul M. Daniell, P.O. Box 872, Atlanta, GA 30301. *General Commodities, (except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment)*, (1) Between Gadsden, AL and Chattanooga, TN, from Gadsden, AL over U.S. Hwy 11 to Chattanooga, TN, and return over the same route, serving all intermediate points; (2) Between Gadsden, AL and Huntsville, AL, from Gadsden, AL over U.S. Hwy. 431 to Huntsville, AL, and return over the same route, serving all intermediate points; (3) Between Gainesville, AL and Decatur, AL, from Gainesville, AL over Hwy. 69 to its junction with AL Hwy. 67, then over AL Hwy. 67 to Decatur, AL, and return over the same route, serving all intermediate points; (4) Between Huntsville, AL and Chattanooga, TN, from Huntsville, AL over U.S. Hwy 72 to Chattanooga, TN, and return over the same route, serving all intermediate

points; (5) Between Guntersville, AL and Scottsboro, AL, from Guntersville, AL over AL Hwy. 79 to Scottsboro, AL, and return over the same route, serving all intermediate points. Serving all points in AL on and north of Interstate Hwy. 20 and on and east of Interstate Hwy. 65 not on the above-described routes as off-route points. RESTRICTION: Restricted to the transportation of traffic moving to, from or through points in GA, TN or MS. Supporting shippers: There are 29 shippers. Their statements may be examined at the office listed above.

Note.—Applicant intends to tack this authority with present authority held in MC 56637 and to interline at Birmingham, Chattanooga and Atlanta.

MC 107515 (Sub-3-8TA), filed March 31, 1980. Applicant: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, GA 30050. Representative: Alan E. Serby; Richard M. Tettelbaum, 3390 Peachtree Road, N.E., 5th Floor—Lenox Towers South, Atlanta, GA 30328. *Malt beverages* from ports of entry on the US-Canada Border located in MI and NY to points in VA. Supporting shipper: Molson's Brewery Ontario, LTD, 640 Fleet Street, Toronto, Ontario, Canada.

MC 110878 (Sub-3-2TA), filed March 31, 1980. Applicant: ARGO TRUCKING COMPANY, INC., Lower Heard Street (P.O. Box 955), Elberton, GA 30635. Representative: Sol H. Proctor, 1101 Blackstone Building, Jacksonville, FL 32202. (1) *Iron and steel articles & (2) Materials and Supplies used in the manufacture of iron and steel articles* (1) From Watkinsville, GA to points in AL, AR, AZ, CA, CO, FL, GA, IL, IN, KY, LA, MO, MS, NC, NM, NV, OH, OK, SC, TN, TX and UT. (2) From points in AL, AR, AZ, CA, CO, FL, GA, IN, IL, KY, LA, MO, MS, NC, NM, NV, OH, OK, SC, TN, TX and UT, to Watkinsville, GA. Supporting shipper: Fisher Stove Co., Inc., P.O. Box 481, Watkinsville, GA 30667.

MC 143540 (Sub-3-1TA), filed March 31, 1980. Applicant: MARINE TRANSPORT COMPANY, Post Office Box 2142, 330 Shipyard Boulevard, Wilmington, North Carolina 28402. Representative: Mr. John N. Fountain, Attorney at Law, Post Office Box 2246, Raleigh, North Carolina 27602. *Contract carrier: irregular routes: Empty plastic bottles* from Franklin, IN, to Chadbourne, NC. Supporting shipper: Hoover Universal, Route 2, Tri Port Rd., Georgetown, KY 40324.

MC 107002 (Sub-3-7TA), filed March 31, 1980. Applicant: MILLER TRANSPORTERS, INC., P.O. Box 1123, Jackson, MS 39205. Representative: Larry M. Ford, P.O. Box 1123, Jackson, MS 39205. *Petroleum and petroleum*

products, in bulk, in tank vehicles, from Olive Branch, MS and Memphis, TN to points in MN. Supporting shipper(s): Walston Wings, 11299 Airport Rd., Olive Branch, MS 38654.

MC 136501 (Sub-3-2TA), filed March 31, 1980. Applicant: JETWAY CARRIERS, INC., 5865 Jetway Drive, Arlington, TN 38002. Representative: Thomas A. Stroud, 2008 Clark Tower, 5100 Poplar Avenue, Memphis, TN 38137. *Contract carrier, irregular routes, such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses and, in connection therewith, equipment, materials and supplies used in the conduct of such businesses (excluding commodities in bulk), between the facilities of Kroger Co., at or near St. Louis, MO, on the one hand, and, on the other, Terrell, TX; Memphis, TN; and Nashville, TN; and Little Rock, AR. Supporting shipper(s): Kroger Co., 1014 Vine Street, Cincinnati, OH 45201.*

MC 145515 (Sub-3-1TA), filed April 8, 1980. Applicant: GREENE'S CARTAGE CO., INC., 1934 Avalon Avenue, Muscle Shoals, AL 35660. Representative: Robert E. Born, Suite 508, 1447 Peachtree Street, N.E., Atlanta, GA 30309. *Trailers; parts and accessories for trailers; and materials, equipment and supplies used in the manufacture of trailers; between Muscle Shoals, AL and its commercial zone on the one hand, and, on the other, points in the United States (except AK and HI). Supporting shipper(s): Shoals American Industries, Inc., Box 2646, Muscle Shoals, AL 35660.*

MC 150467 (Sub-3-1TA), filed March 31, 1980. Applicant: LAVERGNE EXPRESS, INC., 62 Maple Dale Lane, Brentwood, TN 37027. Representative: John G. Hardeman, 618 United American Bank Bldg., Nashville, TN 37219. *Chemicals, cleaning compounds, ink and laminating machinery and materials, supplies and parts used in the manufacture of these commodities between Tustin, CA and Detroit, MI, Elmhurst, IL, Herndon, VA, Matthews, NC, South Hadley Falls, MA, Woburn, MA, Moss Point, MS, and Castlebury, FL. Supporting shipper(s): Dynachem Corp., P.O. Box 12047, Santa Ana, CA 92711.*

MC 125368 (Sub-3-5TA), filed April 4, 1980. Applicant: CONTINENTAL COAST TRUCKING COMPANY, INC., P.O. Box 26, Holly Ridge, NC 28445. Representative: Roland M. Lowell, 618 United American Bank Building, Nashville, TN 37219. *Flat glass, uncrated, and crated flat glass when moving in mixed shipments with uncrated flat glass: (1) From the facilities of PPG Industries, located at or*

near Crystal City, MO, Kerbert Park, PA, Mt. Holly Springs, PA, and Mt. Zion, IL, to points in the U.S. (except AK and HI, and Hartford, CT, Jacksonville, FL, Los Angeles, CA, Cockeysville, MD, Ford City, PA, Williamsville, OR, Norfolk, VA, Rochester, NY, and Houston, TX) and (2) From the facilities of PPG Industries located at or near Cumberland, MD, and Wichita Falls, TX, to points in the U.S. (except AK and HI). Supporting shipper(s): PPG Industries, Inc., One Gateway Center 17 East, Pittsburgh, PA 01522.

MC 143621 (Sub-3-7TA), filed April 4, 1980. Applicant: TENNESSEE STEEL HAULERS, INC., 901 Fifth Avenue, North, Nashville, TN 37219. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, DC 20014. *Steel rods from the facilities of St. Louis Cold Drawn Steel, Inc. at or near St. Louis, MO to points in AR, GA, IL, IN, IA, KY, MS, NJ, OH, TN, TX, and WI. Supporting shipper: St. Louis Cold Drawn Steel, Inc., P.O. Box 13659, St. Louis, MO 63138.*

MC 143621 (Sub-3-6TA), filed April 4, 1980. Applicant: TENNESSEE STEEL HAULERS, INC., 901 Fifth Avenue, North, Nashville, TN 37219. Representative: Kim D. Mann, Suite 1010, 7101 Wisconsin Avenue, Washington, DC 20014. *Plastic pipe and fittings from the facilities of Can-Tex Industries at or near Sparta, TN to points in AR, GA, KY, LA, and MS. Supporting shipper: Can-Tex Industries, Highway 70 South, Post Office Box 246, Sparta, TN 38583.*

MC 143594 (Sub-3-3TA), filed April 4, 1980. Applicant: NATIONAL BULK TRANSPORT, INC., 624 Holcomb Bridge Road, Suite 13, Roswell, GA 30075. Representative: Patrick M. Byrne, P.O. Box 2298 Green Bay, WI 54306. *Chemicals from Plaquemine, LA to points in the United States, restricted to traffic originating at or destined to the facilities of Allemania Chemical Company, Inc., a joint venture between Ashland Chemical Company and INC, for 180 days. Supporting shipper: Allemania Chemical Company, P.O. Box 2219, Columbus, OH 43216.*

MC 133917 (Sub-3-1TA), filed April 4, 1980. Applicant: CARTHAGE FREIGHTER LINE, INC., P.O. Box 315, Carthage, TN 37030. Representative: Henry E. Seaton, 929 Pennsylvania Building, 13th & Penn. Ave., N.W., Washington, D.C. 20004. *Glass containers, closures and materials, supplies and equipment used in the manufacture, sale and distribution of glass containers and closures between the facilities of Chattanooga Glass Co. at Chattanooga, TN, on the one hand,*

and, on the other, points in AL and GA. Supporting shipper(s): Chattanooga Glass Co., 400 West 45th Street, Chattanooga, TN 37410.

MC 142835 (Sub-3-2TA), filed April 4, 1980. Applicant: CARSON MOTOR LINES, INC., P.O. Box 337, Auburndale, FL 33823. Representative: A. Charles Tell, 100 E. Broad St., Columbus, OH 43215. *Foodstuffs and pet food in mixed shipments with foodstuffs, from the facilities of Campbell Soup Co. at Camden, NJ to the facilities of Campbell Soup Co. at Maxton, NC and to points in CT, ME, MA, NH and RI. Supporting shipper: Campbell Soup Co. 100 Market St. Camden, NJ 08101.*

THE FOLLOWING APPLICATION WAS FILED IN REGION 4. SEND PROTESTS TO: ICC, DIRKSEN BLDG., 219 S. DEARBORN ST., ROOM 1386, CHICAGO, IL 60604.

MC 146285 (Sub-4-1TA), filed January 17, 1980. Applicant: JIM CONNER ENTERPRISES, INC., Rte. 37 South, Benton, IL 62812. Representative: Michael W. O'Hara, 300 Reisch Building, Springfield, IL 62701. *Contract, irregular, booms (articulating or extendable, revolving with workcages, basket or buckets), scissor lifts and platforms (self-propelled, non-self propelled and telescoping), from Carson and Long Beach, CA to points in the U.S. (except AK and HI). Supporting shipper: Mark Industries, 2862 East Del Amo Blvd., Carson, CA 90746.*

MC 134477 (Sub-4-6TA), filed February 12, 1980. Applicant: SCHANNO TRANSPORTATION, INC., 5 W. Mendota Rd., West St. Paul, MN 55118. Representative: Thomas Fischbach, P.O. Box 43496, St. Paul, MN 55164. *Meats (with the usual description), from the facilities of Landy Packing Company, Inc. at or near St. Cloud, MN to points in AL, AR, CT, DE, FL, GA, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MS, MO, NE, NH, NJ, NY, NC, ND, OH, OK, PA, RI, SC, SD, TN, TX, VT, VA, WV, WI, and DC. An underlying ETA seeks 90 days authority. Supporting shipper: Landy Packing Company, Inc., 3rd Av. S., St. Cloud, MN 56301.*

MC 82492 (Sub-4-1TA), filed February 22, 1980. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., 2109 Olmstead Rd., P.O. Box 2853, Kalamazoo, MI 49003. Representative: Neil E. Hannan (same as applicant). *Cleaning, softening sizing, finishing, bleaching and bluing products (except in bulk), from the facilities of the Purex Corporation at St. Louis, MO, to points in IL, IN, IA, KY, MI, MN, NE, OH, TN, and WI. Supporting shipper: Purex*

Corporation, 6901 McKissack Ave., St. Louis, MO 63147.

MC 149268 (Sub-4-1TA), filed April 19, 1980. Applicant: B & K TRANSPORT, INC., 300 Hart St., Essexville, MI 48732. Representative: John Scherbarth, 22375 Haggerty Rd., P.O. Box 400, Northville, MI 48167. *Contract; irregular; (1) bags, materials, equipment and supplies used in the manufacture of bags and packaging materials, between the facilities of Quality Transparent Bag, Inc. at Bay City, MI and the facilities of Dyna-Pak Corporation at or near Lawrenceburg, TN and points in the U.S.; (2) grocery products, between the facilities of Bay City Milling & Grocer at Bay City, MI and points in the U.S.; and (3) Bags, packaging films materials, and equipment used in the manufacturing, processing, and sale of plastics and packaging materials, between the facilities of Poly Industries, Ltd. at Grand Rapids, MI and points in the U.S. east of the Rocky Mountains. An underlying ETA seeks 90 days authority. Supporting shippers: Quality Transparent Bag, Inc., 110 McGraw, Bay City, MI 48706. Dyna-Pak Corporation, 112 Helton Dr., Lawrenceburg, TN 38464. Bay City Milling & Grocer Co., 715 McGraw, Bay City, MI 48706. Poly Industries, Ltd., 4180 44th St., SE, Grand Rapids, MI 49508.*

MC 145701 (Sub-4-3TA), filed April 3, 1980. Applicant: D.C. TRANSPORT, INC., 916 S. Riverside Av., St. Clair, MI 48079. Representative: James Sheehan (same address as applicant). *Fabrics, textiles, urethane foam, and laminations of such items, from the facilities of Shawmut Corporation at or near Stoughton, MA to Flint, MI. An underlying ETA seeks 90 days authority. Supporting shipper: Shawmut Corporation, 208 Canton St., Stoughton, MA.*

MC 150301 (Sub-4-4TA), filed April 3, 1980. Applicant: EQUITY TRANSPORTATION COMPANY, INC., 3653 Lake Eastbrook Blvd. SE, Grand Rapids, MI 49506. Representative: Edward Malinzak, 900 Old Kent Bldg., Grand Rapids, MI 49503. *Contract; irregular: Materials and supplies used in the manufacture and distribution of household and personal care products (except in bulk) from various points in the Continental United States to Ada, MI, under continuing contract with Amway Corporation. Supporting shipper: Amway Corporation, 7575 E. Fulton Rd. Ada, MI 49355.*

MC 102181 (Sub-4-1TA), filed April 3, 1980. Applicant: O. H. & F., Inc., P.O. Box 129, Grayville, Illinois 62844. Representative: William P. Whitney, Jr., 708 McClure Building, Frankfort,

Kentucky 40601. *Machinery, equipment, materials, and supplies used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, equipment and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, between points in MI, IN, IL, and OH, on the one hand, and, on the other, points in WV and PA. Supporting shippers: Twelve (12). An underlying ETA seeks 90 days authority.*

MC 119921 (Sub-4-1TA), filed April 3, 1980. Applicant: CANADIAN MACHINERY MOVERS LIMITED, 2410 Central Av, Windsor, Ontario, CD. Representative: Robert Gunderman, 710 Statler Bldg., Buffalo, NY 14202. *Mail and package handling machinery, related parts, attachments and accessories, and materials and supplies used in the manufacture or production of such mail and package handling machinery, between ports of entry on the International Boundary line between the U.S. and Canada at the Detroit River, on the one hand, and, on the other, Memphis, TN. An underlying ETA seeks 90 days authority. Supporting shipper: McInnis Equipment Ltd., 2500 Central Av, Windsor, Ontario, CD N8W 4J5.*

MC 113651 (Sub-4-10TA), filed April 4, 1980. Applicant: INDIANA REFRIGERATOR LINES, INC., Box 522, Riggins Rd., Muncie, IN 47305. Representative: Thomas Leahy, 1980 Financial Center, Des Moines, IA 50309. *Vinegar and cider, except in bulk, from Alton and Olney, IL, to points in OH, KY, IN, IA, MO, NE, KS, CO, AR, and TN. Supporting Shipper: National Vinegar Co., Box 255, Alton, IL 62002. An underlying ETA seeks 90 days authority.*

MC 128927 (Sub-4-1TA), filed April 2, 1980. Applicant: MARTIN TRUCKING COMPANY, INC., Box 406, Toro Rd, Tomah, WI 54660. Representative: James Spiegel Olde Towne Office Park, 6425 Odana Rd, Madison, WI 53719. *Malt beverages from Belleville, IL, Evansville, IN, Newport, KY, and Frankenmuth, MI, to points in Waukesha County, WI, restricted to transportation performed to the facilities of Don Kerr, Inc. An underlying ETA seeks 90 days authority. Supporting shipper: Don Kerr, Inc., 651 North Av., Hartford, WI 53029.*

MC 150247 (Sub-4-1TA), filed April 2, 1980. Applicant: VANEERDEN TRUCKING COMPANY, 1150 Freeman

Ave., SW., Grand Rapids, MI 49503. Representative: J. Michael Smith, 465 Old Kent Bldg., Grand Rapids, MI 49503. *Bakery Goods, between the facilities of Holland American Wafer Company at or near Grand Rapids, MI and points in Denver, CO, Salt Lake City, UT, Houston, TX, Oakland and Los Angeles, CA, and their respective commercial zones. An underlying ETA seeks 90 days authority. Supporting shipper: Holland American Wafer Company, 3300 Roger B. Chaffee Memorial Dr., SE., Grand Rapids, MI 49508.*

MC 18121 (Sub-4-1TA), filed April 2, 1980. Applicant: ADVANCE TRANSPORTATION COMPANY, P.O. Box 719, Milwaukee, WI 53201. Representative: Wayne Wilson, 150 E. Gilman St., Madison, WI 53703. *Common; Regular; General Commodities (with the usual exceptions), serving Davenport, IA and its commercial zone as an off-route points. Permission to tack and interline with applicant's existing operations is requested. Underlying ETA seeks 90 day authority. There are 13 supporting shippers.*

MC 134477 (Sub-4-19TA), filed April 4, 1980. Applicant: SCHANNO TRANSPORTATION, INC., 5 W. Mendota Rd., West St. Paul, MN 55118. Representative: Thomas Fischbach, P.O. Box 43496, St. Paul, MN 55164. *Electrical appliances, security products, clocks, personal care appliances, and audio products (except in bulk), from Lenexa, KS to Twin Cities, MN and points in its commercial zone. Supporting shipper: General Electric Company, 13900 W. 101st St., Lenexa, KS 66215.*

MC 124987 (Sub-4-1TA), filed April 7, 1980. Applicant: EARL L. BONSACK and ELAINE M. BONSACK, d.b.a. EARL L. BONSACK, 512 W. Plainview Rd., La Crosse, WI 54601. Representative: Joseph Ludden, 324 Exchange Bldg., P.O. Box 1567, La Crosse, WI 54601. *Contract; irregular; malt beverages, from St. Paul, MN to Champaign, IL; bottle caps (Crowns) and bottles (glass), from Chicago, IL and its commercial zone to La Crosse, WI; and bottles (glass), from Streator, Gurnee, and Plainfield, IL to La Crosse, WI, under continuing contract(s) with G. Heileman Brewing Company, Inc. An underlying ETA seeks 90 days authority. Supporting shipper: G. Heileman Brewing Company, 100 Harberview Plaza, La Crosse, WI 54601.*

MC 114457 (Sub-4-7TA), filed April 3, 1980. Applicant: DART TRANSIT COMPANY, 2102 University Avenue, St. Paul, MN 55114. Representative: James H. Willis (same as applicant). *Sugar in packages from St. Paul, MN to Royce, NJ. Supporting shipper: Have A Portion,*

Inc., 2624 North Cleveland Ave., Roseville, MN 55113.

MC 110380 (Sub-4-2TA), filed April 3, 1980. Applicant: BERSCHENS OF MADISON, INC., 120 West Verona Avenue, Verona, WI 53593. Representative: Rolfe E. Hanson, 121 West Doty Street, Madison, WI 53703. *Periodical publications and printed matter* between Milwaukee and Verona, WI on the one hand, and on the other hand points in MN, IA, IL, MI and WI. Supporting shipper: Seewhy, Inc., 5380 N. 68th St., Milwaukee, WI 53218.

MC 118612 (Sub-4-1TA), filed April 3, 1980. Applicant: COLUMBIA TRUCKING, INC., 700-131st Place, Hammond, IN 46320. Representative: Richard A. Kerwin, 180 North La Salle Street, Chicago, IL 60601. *Hot asphalt, in bulk, in tank vehicles* from Summit, IL to points in WI, IA, MI, IN, MN, OH and MO. Supporting shipper: Trumbull Asphalt Division of Owens-Corning Fiberglas Corp., 59th & Archer Rd., Summit, IL 60501.

MC 114632 (Sub-4-9TA), filed April 7, 1980. Applicant: APPLE LINES, INC., P.O. Box 287, Madison, SD 57042. Representative: David E. Peterson, P.O. Box 287, Madison, SD 57042. *Petroleum products and synthetic lubricating oil, (except in bulk), automobile parts and accessories, and such commodities as are used or dealt in by retail fuel stations*, between the facilities of Exxon Company USA at or near Bayonne and Bayway, NJ, Baton Rouge, LA, Baytown, TX, and Pittsburgh, PA, on the one hand, and, on the other, points in the U.S. in and east of ID, UT, CO, and NM (except FL). Supporting shipper: Exxon Company, USA, P.O. Box 2180, Houston, TX 77001.

MC 150382 (Sub-4-1TA), filed April 7, 1980. Applicant: S & L, INC., a North Dakota Corporation, Enderlin, ND 58027. Representative: Kip B. H. Erickson, 502 First National Bank Bldg., Fargo, ND 58126. *Fertilizer and fertilizer ingredients and animal feed and animal feed ingredients* (except in bulk, in tank vehicles) from points in MN to points in ND. An underlying ETA seeking up to 90 days authority. Supporting shippers: Farmers Union Central Exchange, Lisbon, ND 58054; Enderlin Farmers Elevator, Box 166, Enderlin, ND 58027; Midland Cooperative, Inc., 800 53rd Avenue NE, Columbia Heights, MN 55421.

MC 114632 (Sub-4-8TA), filed April 7, 1980. Applicant: APPLE LINES, INC., P.O. Box 287, Madison, SD 57042. Representative: David D. Peterson, P.O. Box 287, Madison, SD 57042. *Meats and packinghouse products*, from Plainwell, MI to Kenosha and Milwaukee, WI,

Fogelsville, PA and points in the New York, NY Commercial Zone. Supporting shipper: Weinstein International Corporation, 5738 Olsen Highway, Minneapolis, MN 55422.

MC 82492 (Sub-4-5TA), filed April 7, 1980. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., 2109 Olmstead Road, P.O. Box 2853, Kalamazoo, MI 49003. Representative: Neil E. Hannon (same address as applicant). *Foodstuffs, pet foods and animal feeds* (except in bulk) between the facilities of Carnation Company at Elwood, KS, St. Joseph, MO, Ft. Dodge, IA, KS, KY, MI, MN, MO, NE, ND, OH, SD, TN, WI, NY on and west of I-81, and PA on and west of I-81. Supporting shipper: Carnation Company, 5045 Willshire Boulevard, Los Angeles, CA 90036.

MC 127840 (Sub-4-3TA), filed April 7, 1980. Applicant: MONTGOMERY TANK LINES, INC., 17550 Fritz Drive, Lansing, IL 60438. Representative: Charles R. Emhuff, P.O. Box 425, Summit, IL 60501. *Vegetable oil in bulk, in tank vehicles*, from Manning, IA to IL, KS, MN, MO, NE, OK, SD, TX and WI. Supporting shipper: AGRI Industries, P.O. Box 187, Manning, IA 51455.

MC 119702 (Sub-4-3TA), filed April 7, 1980. Applicant: STAHLY CARTAGE CO., 119 South Main Street, P.O. Box 486, Edwardsville, IL 62025. Representative: E. Stephen Heisley, Ames, Hill & Ames, P.C., 666 Eleventh Street NW., Washington, DC 20001. *Aviation fuels*, in bulk, in tank vehicles, from East St. Louis, IL to NE and Sioux Falls, SD. Supporting shipper: Texaco, Inc., 1111 Rusk Street, P.O. Box 52332, Houston, TX 77052.

MC 138432 (Sub-4-2TA), filed April 7, 1980. Applicant: GARLAND GEHRKE, 1800 N. Jefferson, Lincoln, IL 62656. Representative: James R. Madler, 120 W. Madison St., Chicago, IL 60602. *Corrugated boxes, paper and paper products, and plastic and plastic products, and commodities used in the distribution of the foregoing commodities* (except in bulk) between Florence, KY, Greensburg, IN, New Castle, DE, Orange, TX, St. Louis (Hazelwood), MO, and all points in the U.S. except the States of AZ, ID, MT, NM, NV, UT, and WY. Supporting shipper: Crown Zellerbach Corporation, 1 River St., So. Glens Falls, NY 12801.

MC 145102 (Sub-4-3TA), filed April 7, 1980. Applicant: FREYMILLER TRUCKING, INC., P.O. Box 188, Shullsburg, WI 53586. Representative: Wayne W. Wilson, 150 East Gilman Street, Madison, WI 53703. *Prepared foodstuffs* from Denison, TX to points in AZ, AR, CA, CO, ID, KS, MO, MT, NE,

NV, NM, OK, OR, SD, UT, and WA. Underlying ETA seeks 90 day authority. Supporting shipper: The Pillsbury Company, 608 Second Avenue South, Minneapolis, MN 55402.

MC 107162 (Sub-4-3TA), filed April 7, 1980. Applicant: NOBLE GRAHAM TRASPOR, INC. Rural Route 1, Brimley, MI 49715. Representative: John Duncan Varda, 121 South Pinckney Street, Madison, WI 53703. *Steel tube* from the facilities of Maverick Tube Corp. at Union, MO, to points in IL, IN, MI and WI, restricted to traffic originating at the facilities of Maverick Tube Corp. An underlying ETA seeks 90 days authority. Supporting shipper: Maverick Tube Corp., P.O. Box 696, Union, MO, 63084.

MC 144483 (Sub-4-1TA), filed March 31, 1980. Applicant: MAHER, INC., R. R. #14, Box 330, West Terre Haute, IN 47885. Representative: Norman R. Garvin, 1301 Merchants Plaza, Indianapolis, IN 46204. *Liquefied petroleum gas*, from Kankakee, IL to Lebanon, Noblesville, Crown Point, Flora, Marion, and Goshen, IN for 180 days under continuing contract(s) with Pyrofax Gas Corp., Houston, TX. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Pyrofax Gas Corp., P.O. Box 2521, Houston, TX 77001.

MC 146643 (Sub-4-10TA), filed April 3, 1980. Applicant: INTER-FREIGHT TRANSPORTATION, INC., formerly known as DAVID CREECH TRANSPORTATION SYSTEMS, INC., 655 E. 114th St., Chicago, IL 60628. Representative: Donald B. Levine, 39 S. LaSalle St., Chicago, IL 60603. *Contract irregular: cleaning, scouring, washing and buffing compounds (except in bulk) vending machines, mops and brushes*, from Montgomery, IL, to St. Paul, MN; St. Louis, MO; Des Moines, IA; and Indianapolis, IN, for 180 days. The supporting shipper is Rochester Germicide Co., Box 1515, Rochester, NY 14603.

MC 103993 (Sub-4-8TA), filed April 7, 1980. Applicant: MORGAN DRIVE-AWAY, INC., 28651 U.S. 20 West, Elkhart, Indiana 46515. Representative: James B. Buda (same as above). *Passenger automobiles and trucks, in secondary movements, in truckaway service*, from the facilities of Zimmer Motor Van at or near Cordele, GA to points in AL, FL, GA, LA, MS, NC, SC, TN, AR, KY, MD, NJ, OH, PA, VA, and TX. Supporting shipper: Zimmer Motor Van, Cordele, GA.

MC 109449 (Sub-4-3TA), filed March 26, 1980. Applicant: KUJAK TRANSPORT INCORPORATED, 6366 West 6th Street, Winona, Minnesota

55987. Representative: Gary Huntbatch, 6366 West 6th Street, Winona, Minnesota 55987. (A). Uncrated stoves and heating units. (B). Materials equipment and supplies used in the manufacture and distribution of such commodities between Galesville and Ettrick, Wisconsin on the one hand and points in the United States (except AK and HI) on the other. Supporting shipper: E-K Industries, 207 Mill Rd., Galesville, WI 54630.

MC 148093 (Sub-4-1TA), filed March 31, 1980. Applicant: MIDWEST INDUSTRIAL FUEL INC., 615 Sumner Street, La Crosse, Wisconsin 54601. Representative: Attorney Joseph E. Ludden, 324 Exchange Building, P.O. Box 1567, La Crosse, Wisconsin 54601. *Liquid fertilizer in bulk in tank trucks*, from La Crosse, Wisconsin to points in Iowa and Minnesota. Supporting shippers: Allied Chemical Corporation, P.O. Box 2120, Houston, Texas 77001; N-ReN Corporation, P.O. Box 418 So., St. Paul, Minnesota 55075.

MC 147913 (Sub-4-2), filed March 31, 1980. Applicant: ACME TRANSFER & STORAGE CO., INC., 2500 Kennedy Street, N.E., Minneapolis, Minnesota 55413. Representative: Ronald N. Cobert, Esq., Suite 501, 1730 M Street, N.W., Washington, D.C. 20036. *General commodities* (except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities of unusual value and those requiring special equipment), between the facilities utilized by Minnesota Inter-Modal Shippers Association, Inc., at or near Minneapolis, MN, on the one hand, and, on the other, points in MN. Supporting shipper: Minnesota Inter-Modal Shippers Association, Inc., 2500 Kennedy St., Minneapolis MN 55413.

MC 150409 (Sub-4-1TA), filed March 26, 1980. Applicant: MITCH-MOR TRUCKING, INC., Route 1, Becker, MN 55308. Representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, MN 55402. *Aluminum die castings*, (1) from Minneapolis, MN to Texarkana, TX and Dayton, OH, and (2) from Dayton, OH to Valley Stream, NY. An underlying ETA seeks 90 days authority. Supporting shipper: Strite-Anderson Manufacturing Co., Inc., 7585 Viron Rd. N.E., Minneapolis, MN 55432.

MC 119099 (Sub-4-1TA), filed April 9, 1980. Applicant: BJORKLUND TRUCKING INC., First Avenue N.E. and 8th Street, Buffalo, MN 55313. Representative: Val M. Higgins, 1000 First National Bank Bldg., Minneapolis, MN 55402. *Salt and salt products*, from Plantsite of Cargill, Inc. at Sioux City, IA to points in MN on and East of US

Highway 71, and on and South of MN State Highway 210. Supporting shipper: Cargill, Inc.-Salt Division P.O. Box 9300, Minneapolis, MN 55440.

MC 52673 (Sub-4-1TA), filed April 7, 1980. Applicant: FRED OLSON MOTOR SERVICE COMPANY, 6022 West State Street, Milwaukee, WI 53213. Representative: William D. Brejcha, Ten South LaSalle Street, Chicago, IL 60603. *Cement, in bulk and in packages*, from Milwaukee, WI to points in IL and IN. Supporting shipper: Medusa Cement Company, P.O. Box 5668, Cleveland, OH 44101.

MC 52473 (Sub-4-1TA), filed April 8, 1980. Applicant: BEHNKE, INC., 77 South Monroe Street, Battle Creek, MI 49014. Representative: Karl L. Gotting, Loomis, Ewert, Ederer, Parsley, Davis & Gotting, 1200 Bank of Lansing Building, Lansing, MI 48933. *Contract irregular paper and paper products* from the warehouse facilities of Behnke, Inc. at Battle Creek, MI to Chicago, IL and Toledo, OH and their respective commercial zones, under continuing contract or contracts with Crown Zellerbach Corporation. An underlying ETA seeks 90-day authority. Supporting shipper: Crown Zellerbach Corp. 1 River St., South Glens Falls, N.Y. 12801.

MC 24379 (Sub-4-5TA), filed April 8, 1980. Applicant: LONG TRANSPORTATION COMPANY, 14650 West Eight Mile Road, Oak Park, MI 48237. Representative: Donald G. Hichman (same address as applicant). *General Commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) between the Port of Baltimore, MD, on the one hand, and, on the other, points in IL, IN, MI (lower peninsula), OH and WI, restricted to traffic tendered in ocean containers and having prior or subsequent movement by water, for 180 days. Underlying ETA filed seeking 90 days authority. Supporting shipper: A.W. Fenton Co., 6565 Eastland Rd., Cleveland, OH 44142.

MC 146319 (Sub-4-1), filed April 8, 1980. Applicant: ELLIOT LAKE FREIGHT LINES LIMITED, P.O. Box 70, Spragge, Ontario, Canada P0R 1K0. Representative: William J. Hirsch, 43 Court Street, Suite 1125, Buffalo, New York 14202. *Uranium U-308* trade name "Yellow Cake" from points of entry on the international boundary line between the United States and Canada located in the Upper Peninsula of MI to points in IL. Supporting shipper: Denison Mines Limited, Spragge, Ontario, Canada.

MC 108859 (Sub-4-1TA), filed April 9, 1980. Applicant: CLAIRMONT

TRANSFER CO., 1803 Seventh Avenue, North, Escanaba, MI 49829. Representative: Deane F. Rude, P.O. Box 3548, Green Bay, WI 54303. *Salt; salt products; and materials, equipment and supplies (except in bulk), used in the manufacture and distribution thereof*, between the facilities of Diamond Crystal Salt Co., at or near St. Clair, MI and Akron, OH, on the one hand, and, on the other, counties of Anoka, Blue Earth, Brown, Carver, Dakota, Dodge, Faribault, Fillmore, Freeborn, Goodhue, Hennepin, Houston, McLeod, LeSueur, Meeker, Mower, Nicollet, Olmstead, Ramsey, Renville, Rice, Scott, Sibley, Stearns, Steel, Wabasha, Waseca, Washington, Winona & Wright, MN; and points in WI. Supporting shipper: Diamond Crystal Salt Company, 916 S Riverside Ave. St. Clair, MI.

MC 146969 (Sub-4-1TA), filed April 8, 1980. Applicant: STAN KOCH & SONS TRUCKING INC., 4901 Excelsior Boulevard, Minneapolis, Minnesota 55416. Representative: Stanley C. Olsen, Jr., Gustafson & Adams, P.A., 7400 Metro Boulevard, Suite 411, Edina, Minnesota 55435. *Such commodities as are dealt in or used by manufacturers and distributors of steel forgings* between the facilities of Osmundson Manufacturing Company located in Dallas and Guthrie Counties, IA on the one hand, and, on the other, points in AR, IL, IN, KS, KY, LA, MI, MN, MS, MO, NE, ND, OH, OK, PA, SD, TN TX and WI. Supporting shipper: Stan Koch Brokerage, a Partnership, 4901 Excelsior Boulevard, Minneapolis, Minnesota 55416.

MC 128543 (Sub-4-2TA), filed April 3, 1980. Applicant: CRESCO LINES, INC., 13900 South Keeler Ave., Crestwood, IL 60445. Representative: Donald B. Levine, 39 South LaSalle St., Chicago, IL 60603. *Contract irregular zinc, zinc alloys, and zinc products; zinc dross, residue or skimmings*, between East Liverpool, OH, and Braddock, PA, on the one hand, and, on the other, those points in the United States in and East of ND, SD, NE, KS, OK and TX. The supporting shipper is St. Joe Zinc Company, Two Oliver Plaza, Pittsburgh, PA 15222.

MC 118263 (Sub-4-1TA), filed April 9, 1980. Applicant: COLDWAY CARRIERS, INC., P.O. Box 2038, Clarksville, Indiana 47130. Representative: William L. Willis, Attorney at Law, 708 McClure Building, Frankfort, Kentucky 40601. *Foodstuffs and related products (except in bulk) in vehicles equipped with mechanical refrigeration* from the facilities of New Orleans Cold Storage and Warehouse Company Ltd. at or near New Orleans, LA and Metairie, LA on the one hand, and, on the other, points

in IA, IL, IN, KY, MI, MO, TN, VA, and WI. Supporting shipper: New Orleans Cold Storage and Warehouse Company Ltd., P.O. Box 895, Metairie, LA 70004. An underlying ETA seeks 90 days authority.

MC 150459 (Sub-4-1TA), filed April 1, 1980. Applicant: CARLYLE TRANSFER, INC., P.O. Box 186, Carlyle, IL 62231. Representative: Michael W. O'Hara, Esq., 300 Reisch Bldg., Springfield, IL 62701. Contract, irregular: *Plastic bottles and containers* from Centralia, IL to Springfield, MO for the account of R. T. French Co. An underlying E/T/A seeks 90 days authority. Supporting shipper: R. T. French Co., P.O. Box 23450, Rochester, N.Y. 14692.

MC 133689 (Sub-4-11TA), filed March 19, 1980. Applicant: OVERLAND EXPRESS, INC., 8651 Naples St. NE., Blaine, MN 55434. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minnesota. *General commodities* (except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment) from the facilities of Allied Shippers and Receivers Association at Chicago, IL to Detroit, MI; Indianapolis, IN; and Louisville, KY and points in their Commercial Zones as defined by the Commission. Supporting shipper: Allied Shippers and Receivers Association, 2029 W. Hubbard Street, Chicago, IL 60612.

MC 150251 (Sub-4-1TA), filed March 7, 1980. Applicant: COURTESY CARTAGE COMPANY, 24711 Sherwood, Center Line, MI 48015. Representative: Daniel C. Sullivan, Suite 1600, 10 S. LaSalle St., Chicago, Illinois 60603. *Contract carrier, irregular routes, Household appliances, and equipment, materials and supplied used in the manufacture and distribution thereof*, except in bulk, between the facilities of Courtesy Cartage Company, in the Detroit, MI, commercial zone, on the one hand, and, on the other, points in MI, moving in interstate commerce, under contract(s) with the General Electric Company. Supporting shipper: General Electric Company, Appliance Park, Louisville, KY 40225.

MC 136899 (Sub-4-4TA), filed March 27, 1980. Applicant: HIGGINS TRANSPORTATION, LTD., P.O. Box 637, Richland Center, WI 53581. Representative: Michael J. Wyngaard, 150 East Gilman Street, Madison, WI 53703. Common carrier: regular routes: (1) *Dairy equipment and truck tanks* from Madison, WI and points in the Madison, WI commercial zone to points in CT, DE, IN, KY, ME, MD, MA, MI, NH, NJ, NY, OH, PA, RI, VT, VA and WV;

and (2) *tank trailers*, in truckaway service, between Madison, WI and points in the Madison, WI commercial zone, on the one hand, and, on the other, points in the United States (except AK and HI). Supporting shipper: Dairy Equipment Company, a division of DEC International, 1919 South Stoughton Road, Madison, WI 53708.

MC 150383 (Sub-4-1TA), filed March 24, 1980. Applicant: COURTNEY J. MUNSON, d.b.a. MUNSON TRUCKING, P.O. Box 266, Monmouth, IL 61462. Representative: Daniel O. Hands, Attorney at Law, Suite 200, 205 West Touhy Avenue, Park Ridge, IL 60068. Contract, irregular, *Petroleum and petroleum products, in bulk*, from Bettendorf, IA and its commercial zone to Little York, Monmouth and Woodhull, IL and points in their respective commercial zones under a continuing contract or contracts with Woodhull Land Development Corporation. Supporting shipper(s): Woodhull Land Development Corporation, Box 517, Woodhull, IL 61490.

MC 148683 (Sub-4-1TA), filed March 19, 1980. Applicant: ROGER RYE, d.b.a. BUCK RYE TRUCKING, Route 1, Wallace, Michigan 49893. Representative: William R. Ralls, Doyle, Carruthers, Hess & Ralls, P.C., 427 South Capitol Avenue, Lansing, Michigan 48933. Woodchips, sawdust, bark, slabs, and the finished product of Woodex of MI, which is used as fuel. Between the points in the Upper Peninsula of MI on the one hand and points in WI on the other, limited to service performed under continuous contract with Woodex of MI, located in Menominee Townships, MI. Supporting shipper: Woodex of MI, Inc., 801 Thirteenth St., Menominee, MI 49858.

MC 39073 (Sub-4-1TA). Applicant: BUDRECK TRUCK LINES, INC., 9330 South Constance Avenue, Chicago, IL 60617. Representative: Richard A. Kerwin, 180 North LaSalle Street, Chicago, IL 60601. *Meats, Meat products and meat by-products, dairy products and articles distributed by meat packinghouses as described in Sections A, B and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 81 M.C.C. 209 and 766 (except hides and commodities in bulk) in mechanically refrigerated vehicles* from facilities of DAWSON BAKER PACKING CO located at Louisville, KY to points in IL, WI, MO, IA, MI, and OH. Supporting shipper: Dawson Baker Packing Co., 1231 Lexington Road, Louisville, KY 40204.

MC 103993 (Sub-4-5TA), filed March 19, 1980. Applicant: MORGAN DRIVE-AWAY, INC., 28651 U.S. 20 West,

Elkhart, Indiana 46515. Representatives: James B. Buda, Attorney at Law, 28651 U.S. 20 West, Elkhart, Indiana 46515. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) lumber, lumber products, pallets, pallet parts and millwork, from the facilities of Marquand Wood Products, Inc., at or near Marquand, MO, and Perry Crating, Inc., at or near Frohna, MO, to points in the United States in and east of the states of MT, WY, CO, and NM, and (2) materials and supplies used in the manufacture and distribution of the commodities named in (1) above, (except commodities in bulk, in tank vehicles), from points in the United States in and east of the states of MT, WY, CO, and NM, back to the facilities of Marquand Wood Products, Inc., at or near Marquand, MO, and Perry Crating, Inc., at or near Frohna, MO. Supporting shippers: Perry Crating, Inc., Marquand Wood Products, Inc., P.O. Box 1347, Maryland Heights, MO 63043.

MC 69833 (Sub-4-3), filed March 26, 1980. Applicant: ASSOCIATED TRUCK LINES, INC., 200 Monroe Avenue, NW., 6th Floor, Grand Rapids, MI 49503. Representative: Harry Pohlard (same as applicant). *Common carrier, regular routes, General Commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Crawfordsville, IN as an off-route point in connection with carrier's regular route authority. Supporting shippers: There are six supporting shippers.

MC 103993 (Sub-4-6TA), filed March 28, 1980. Applicant: MORGAN DRIVE-AWAY, INC., 28651 U.S. 20 West, Elkhart, Indiana 46515. Representatives: James B. Buda, Attorney at Law, 28651 U.S. 20 West, Elkhart, Indiana 46515. *Plastic cellular, expanded insulating boards, forms or shapes*, from the facilities of Monsanto Company, at or near Addyston, OH, to points in CT, FL, IL, IN, MD, MA, MI, MO, NJ, NY, NC, AL, PA, VA, and WI. Supporting shipper: Monsanto Company, 800 N. Lindburg Blvd., St. Louis, MO 63166.

MC 54203 (Sub-4-1TA), filed March 12, 1980. Applicant: V. SENG TEAMING CO., 800 N. Thomas Drive, Bensenville, IL 60106. Representative: Bernard J. Kompare, Suite 1600, 10 S. LaSalle Street, Chicago, IL 60603. *Such commodities as are dealt in or distributed by a manufacturer of paper and paper products (except in bulk)*, from the facilities of the Scott Paper Company at Munster, IN, to points in IL. Restriction: Restricted to the

transportation of traffic originating at the above/named origin. Supporting shipper: Scott Paper Company, Scott Plaza, Philadelphia, PA 19113.

MC 146133 (Sub-4-1), filed March 21, 1980. Applicant: HALVOR LINES, INC., 4609 West First, Duluth, MN 55806. Representative: Andrew R. Clark, 1000 First National Bank Bldg., Minneapolis, MN 55402. *Such commodities as are dealt in by retail and wholesale automotive supply houses*, from Superior, WI to Phoenix, AZ, Portland, OR, Denver, CO, Sacramento and Los Angeles Commercial Zone, CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: AMS Oil, Inc., Superior, WI.

MC 133689 (Sub-4-12TA), filed March 10, 1980. Applicant: OVERLAND EXPRESS, INC., 8651 Naples Street, N.E., Blaine, Minnesota 55434. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minnesota 55118. (1) *Welders, battery chargers, electrical apparatus, welding supplies and related parts and (2) equipment, materials and supplies used in the manufacture and sale of commodities in (1) above (except commodities in bulk)*, between Minneapolis, Minnesota on the one hand, and on the other, points in the United States in and east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma and Texas. Supporting shipper: Century Manufacturing, 9231 Penn Ave. S., Minneapolis, MN 55431. (Hearing site: St. Paul, Minnesota.)

MC 112223 (Sub-4-2TA), filing date March 26, 1980. Applicant: QUICKIE TRANSPORT COMPANY, 1700 New Brighton Blvd., Minneapolis, Minnesota 55413. Representative: Earl Hacking, 1700 New Brighton Blvd., Minneapolis, Minnesota 55413. *Liquid fertilizers*, in bulk, in tank vehicles, from Minneapolis/St. Paul and Pine Bend, Minnesota to points in Wisconsin and Iowa. Supporting shipper: Midland Cooperative, Inc., 800 53rd Ave., Minneapolis, MN 55440.

MC 133689 (Sub-4-13), filed March 26, 1980. Applicant: OVERLAND EXPRESS, INC., 8651 Naples Street, N.E., Blaine, Minnesota 55434. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, Minnesota. Applicant seeks authority as a *common carrier* by motor vehicle, over irregular routes, transporting: *Distilled water, intravenous solutions, and supplies used in the administration and care of patients* (except in bulk), from Alta Vista, Virginia and Rocky Mount, North Carolina to Ann Arbor and Detroit, Michigan. Supporting shipper: Abbott Laboratories, North Chicago, IL 60064.

MC 140549 (Sub-4-1TA), filed March 26, 1980. Applicant: FRITZ TRUCKING, INC., East Highway 7, Clara City, MN 56222. Representative: Samuel Rubenstein, Post Office Box 5, Minneapolis, MN 55440. *Agricultural baler twine* from Albert Lea, MN, to points in CO, ID, MT, OR, UT and WA. Supporting shipper: Briden Cordage, Inc., Albert Lea, MN 56007.

MC 142449 (Sub-4-1TA), filed March 26, 1980. Applicant: SPEEDWAY HAULERS, INC., P.O. Box 1463, South Bend, IN 46624. Representative: James L. Beattey, 300 East Fall Creek Parkway, Suite 403, Indianapolis, IN 46205. *Insulating materials, N.O.I., materials and supplies used in the manufacturing and distribution of insulating materials*, between New Carlisle, IN, on the one hand, and points and places in IL, MI, OH, KY, and WI, on the other. An underlying ETA seeks 90 days authority. Supporting shipper: The Carborundum Company, P.O. Box 337, Niagara Falls, NY 14302.

MC 135231 (Sub-4-3TA), filed April 4, 1980. Applicant: NORTH STAR TRANSPORT, INC., Rt. 1, Hwy 1 and 59 N., Thief River Falls, MN 56701. Representative: Robert P. Sack, P.O. Box 6010, West St. Paul, MN 55118. *Scrap Plastics* (except in bulk) between the facilities of Hancor, Inc. at Fairmont, MN; Endicott, NY; Oelwein, IA; Creston, IA; Brazil, IN; Yokum, TX; Hallettsville, TX; Patterson, CA; Olympia, WA; Halls, TN; Findlay, OH; Mebane, NC; Cordele, GA; Bad Axe, MI; Chesaning, MI and points in the United States (except AK and HI). An underlying ETA seeks 90 days authority. Supporting shipper: Hancor, Inc., P.O. Box 1047, Findley, OH 45840.

MC 106674 (Sub-4-8TA), filed April 7, 1980. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, Remington, IN 47977. Representative: Jerry L. Johnson (same address as applicant). *Hydrochloric acid*, in drums from Houston, TX to points in OK, LA, and CA. Supporting shipper(s): Sobin Chemicals, Inc., 1900 Prudential Tower, Boston, MA 02199.

MC 148485 (Sub-4-1TA), filed April 8, 1980. Applicant: EARL P. SMITH, d.b.a. SMITH CARTAGE COMPANY, 104 South Vine Avenue, Marshfield, WI 54449. Representative: James A. Spiegel, Attorney, Olde Towne Office Park, 6425 Odana Road, Madison, WI 53719. *Contract irregular, clay, crude or other than crude* (except in bulk) in bags and in barrels from Ochlocknee, GA, to points in IL, IA, MI, MN, ND, SD, and WI. Restriction: Restricted to transportation to be performed under a continuing contract(s) with Oil-Dri

Corporation. Supporting shipper(s): Oil-Dri Corporation, 520 N. Michigan Avenue, Chicago, IL 60611.

MC 143291 (Sub-4-6TA), filed April 1, 1980. Applicant: SPECTOR INDUSTRIES, INC., d.b.a. SPECTOR FREIGHT SYSTEM, 1050 Kingery Highway, Bensenville, IL 60106. Representative: Joel H. Steiner, Axelrod, Goodman, Steiner & Bazelon, 39 South LaSalle, Chicago, IL 60603. *Cast iron pipe, cast iron fittings and cast iron accessories* from Radford, VA to points in IL, IN, IA, KS, MI, NE, MO, MN, OH, WI, PA, NY, ND, DE, NJ, NH, ME, VT, MA, CT and RI. Supporting shipper(s): Griffin Pipe Products Co., 2000 Spring Road, Oak Brook, IL 60521.

MC 69116 (Sub-4-7TA), filed April 1, 1980. Applicant: SPECTOR INDUSTRIES, INC., d.b.a. SPECTOR FREIGHT SYSTEM, 1050 Kingery Highway, Bensenville, IL 60106. Representative: Edward G. Bazelon, 39 South LaSalle Street, Chicago, IL 60603. *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the facilities of Presto Products Inc., at or near Appleton and Little Chute, WI, on the one hand, and, on the other, points in IL, IN, NH, NY, ME, MD, OH, PA, WV, VA and VT. Restricted to traffic originating at or destined to the facilities of Presto Products Inc. at the above locations, for 180 days. Supporting shipper(s): Presto Products Inc., Box 2399, Appleton, WI 54913.

MC 144498 (Sub-4-1TA), filed April 4, 1980. Applicant: HIX TRANSPORT, INC., 4129 N-500 E, Van Buren, IN 46991. Representative: Robert W. Loser, 1101 Chamber of Commerce Bldg., Indianapolis, IN 46204. *Contract carrier: Irregular routes, Such commodities as are dealt in or used by grocery and food business houses* (except commodities in bulk), in vehicles equipped with mechanical refrigeration, between the facilities of The Kroger Co. at Columbus and Cincinnati, OH and San Antonio, TX under continuing contract with The Kroger Co. of Cincinnati, OH. Underlying ETA seeks 90 days authority. Supporting shipper(s): The Kroger Co., 1014 Vine Street, Cincinnati, OH 45201.

MC 120978 (Sub-4-1TA), filed April 4, 1980. Applicant: REINHART MAYER d.b.a. MAYER TRUCK LINE, 1203 South Riverside Drive, Jamestown, ND 58401. Representative: Gene P. Johnson, P.O. Box 2471, Fargo, ND 58108. *Chisel plows*, from the facilities of Wren Industries, Ltd., at or near Fort Benton, MT, to

Hobart, OK, and points in MN, ND and SD. An underlying ETA seeks 90 days authority. Supporting shipper: Wren Industries, Ltd., Box 159, Fort Benton, MT 59442.

MC 114606 (Sub-4-3TA), filed April 4, 1980. Applicant: S. F. DOUGLAS TRUCK LINE, INC., 587 S.W. First Street, New Brighton, MN 55112. Representative: Samuel Rubenstein, P.O. Box 5, Minneapolis, MN 55440. *Such commodities as are handled by retail grocery stores, drug stores, hardware stores, department stores; also chemicals, from St. Paul, MN, to Eau Claire and La Crosse, WI. Supporting shipper: Central Warehouse Company, 739 Vandalia, St. Paul, MN 55114.*

MC 150386 (Sub-4-3TA), filed March 25, 1980. Applicant: ROBERT LEWIS CLARK, 4550 Central Avenue, North East, Minneapolis, MN 55421. Representative: H. N. Cunningham, III, P.O. Box 270535, Dallas, TX 75227. *Contract Carrier: Irregular routes; Fiberglass roof bolts, resin cartridges used in mining and construction, except in bulk, from the facilities of Bolt Lock, Inc. at or near Plymouth, MN to points in AL, PA, OH, KY, TX, TN, WV, VA, NB, MO, UT, NM, CO, WY and IL for 180 days. Applicant has also filed underlying emergency temporary authority seeking up to 30 days of operating authority. Supporting shipper: Bolt Lock, Inc., 13305 Watertown Circle, Minneapolis, MN.*

MC 106674 (Sub-4-7TA), filed April 7, 1980. Applicant: SCHILLI MOTOR LINES, INC., P.O. Box 123, Remington, IN 47977. Representative: Jerry L. Johnson (same address as applicant). Authority sought to operate, by Motor Vehicle, transporting: *Zinc and zinc slabs or ingots, dross, residue skimmings, ashes and scraps and containers used in the transportation of said commodities between Braddock, PA and Sharon, PA, Cincinnati and East Liverpool, OH, and East St. Louis, IL on the one hand, and, on the other, points in CT, DE, IL, IN, KY, MD, MI, NJ, NY, NC, SC, TN, VA, and WV. Supporting shipper: St. Joe Zinc Company, Two Oliver Plaza, Pittsburgh, PA 15222.*

The following applications were filed in Region 5. Send protests to: Consumer Assistance Center, Interstate Commerce Commission, 411 West 7th Street—Suite 600, Fort Worth, TX 76102.

MC 531 (Sub-5-6TA), filed April 7, 1980. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, P.O. Box 14048, Houston, TX 77021. Representative: Wray E. Hughes (same address as applicant). *Liquid chemicals, in bulk, in tank vehicles, in shipper owned trailer, from the facilities of Dow-*

Corning, located at or near Midland, MI, to points in Maricopa, AZ. Supporting shipper: Motorola, Inc., P.O. Box 2953, Phoenix, AZ 85036.

MC 1753 (Sub-5-1TA), filed April 7, 1980. Applicant: RENZ TRUCK LINES, INC., #4 Midwest Drive, Pacific, MO 63069. Representative: Charles A. Price (same address as applicant). *Boxes, fibreboard or pulpboard, K.D.F., and materials, equipment and supplies used in the manufacture and distribution of fibreboard or pulpboard boxes (except commodities in bulk, and those requiring the use of special equipment), between the facilities of the Alton Box Board, Co. at or near Pacific, MO, on the one hand, and, on the other, points in IL, IN, KY, MI, MN, OH and PA. Supporting shipper(s): Alton Box Board Co., Pacific, MO 63069.*

MC 52460 (Sub-6-4TA), filed April 4, 1980. Applicant: ELLEX TRANSPORTATION, INC., P.O. Box 9637, 1420 W. 35th Street, Tulsa, Oklahoma 74107. Representative: Michael A. Calvert, 1420 W. 35th Street, Tulsa, Oklahoma 74107. *Cloth Articles, Plastic Articles, Paper and Paper Products between points in the states of AR, KS, LA, MS, MO, OH, OK, SC, TX, and WI, on the one hand, and, on the other, Memphis, TN restricted to traffic originating at or destined to the facilities of Southern Wiping Cloth. Supporting shipper: Southern Wiping Cloth, Memphis, TN, 1655 Harbor.*

MC 66886 (Sub-5-2TA), filed April 7, 1980. Applicant: BELGER CARTAGE SERVICE, INC., 2100 Walnut Street, Kansas City, MO 64108. Representative: Frank W. Taylor, Jr., Suite 600, 1221 Baltimore Avenue, Kansas City, MO 64105. *(1) Wire rope and wire rope products; and (2) machinery, materials and supplies used in the manufacture and distribution of the commodities in (1) above, between the plantsites of Broderick & Bascom Co., at or near Sedalia, MO, on the one hand, and, on the other, all points in the United States in and east of ND, SD, NE, CO and NM. Supporting shipper: Broderick & Bascom Rope Company, 10440 Trenton Avenue, St. Louis, MO 63132.*

MC 78400 (Sub-2TA), filed April 4, 1980. Applicant: BEAUFORT TRANSFER CO., P.O. Box 151, Gerald, MO 63037. Representative: Ernest A. Brooks II, 1301 Ambassador Bldg., St. Louis, MO 63101. *Charcoal and charcoal briquettes, from Howes, MO, to points in IL, IN, IA, KS, MI, NE, OH, OK, and WI. Supporting shipper: Cupples Company, Mfrs., 1034 S. Brentwood, St. Louis, MO 63117.*

MC 106398 (Sub-5-13), filed April 4, 1980. Applicant: NATIONAL TRAILER

CONVOY, INC., 705 South Elgin, Tulsa, Oklahoma 74120. Representative: Gayle Gibson, National Trailer Convoy, Inc., 705 South Elgin, Tulsa, Oklahoma 74120. *(1) Building and construction materials and accessories and (2) insulating materials and supplies and accessories including foil and aluminum plate or sheets: From: Atlanta, GA; Houston, TX; Cleveland, OH; and Tustin, CA. To: All points in the United States (except AK and HI). Supporting shipper: Clecon Incorporated, Eastlake, OH 44094.*

MC 106398 (Sub-5-14TA), filed April 2, 1980. Applicant: NATIONAL TRAILER CONVOY, INC., 705 South Elgin, Tulsa, Oklahoma 74120. Representative: Gayle Gibson, National Trailer Convoy, Inc., 705 South Elgin, Tulsa, Oklahoma 74120. *Materials and supplies used in the manufacture of buildings and building panels. From: The facilities of Bethlehem Steel Corporation at or near Baltimore, MD. To: The facilities of Butler Manufacturing Company at Birmingham, AL and Annville, PA. Supporting shipper: Butler Manufacturing Company, 1020 South Henderson, Galesburg, Illinois 61401, Mr. William E. Dwyer, Jr., Corporate Transportation Manager.*

MC 107496 (Sub-5-11TA), filed March 24, 1980. Applicant: RUAN TRANSPORT CORPORATION, 666 Grand Avenue, Des Moines, Iowa 50309. Representative: E. Check (same address as above) telephone (515) 245-2730. *Caustic potash, in bulk, in tank vehicles, from Ashtabula, OH to points in IL, IN, IA, KY, MI, NJ, NY, OH, PA and WI. Supporting shipper: International Minerals and Chemicals, 421 East Hawley Street, Mundelein, Illinois 60060.*

MC 107496 (Sub-12TA), filed April 8, 1980. Applicant: RUAN TRANSPORT CORPORATION, 666 Grand Avenue, Des Moines, Iowa 50309. Representative: E. Check (same address as above) telephone (515) 245-2730. *Calcium chloride, in bulk, in tank vehicles, from Denver, CO to points in MT. Supporting shipper: W. R. Grace and Company, 62 Whittemore, Cambridge, MA 02140.*

MC 109324 (Sub-5-1TA), filed April 7, 1980. Applicant: GARRISON MOTOR FREIGHT, INC., P.O. Box 1278, Harrison, AR 72601. Representative: Francis W. McInerney, Suite 502, 1000 16th St., NW., Washington, DC 20036. *Common carrier; Regular routes; General commodities (except those of unusual value, household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and those requiring special equipment); Serving the facilities of Stant, Inc., at or near Pinebluff, AR, as an off-route point in connection with carrier's regular routes. Applicant intends to tack this*

authority with its existing authority and interlining is intended. The supporting shipper is Stant, Inc., 1620 Columbia Avenue, Connersville, IN 47331.

MC 111231 (Sub-5-6TA), April 4, 1980. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, AR 72764. Representative: Don A. Smith, P.O. Box 43, 510 North Greenwood Avenue, Fort Smith, Arkansas 72902. (1) *Television sets*; (2) *Recorders*; and *accessories and parts for products in (1) and (2) above*, from the facilities of General Electric Company at or near Little Rock, AR to points in LA, MS and OK. Supporting shipper: General Electric Company, 6901 Lindsey Road, Little Rock, AR 72206.

MC 111401 (Sub-5-4TA), filed April 7, 1980. Applicant: GROENDYKE TRANSPORT, INC., P.O. Box 632, Enid, OK 73701. Representative: Victor R. Comstock, Vice President, Traffic P.O. Box 632, Enid, OK 73701. *Aviation Gasoline*, in bulk, in tank vehicles, from Memphis, TN to Austin, TX. Supporting shipper: Browning Aerial Service, Inc., P.O. Box 609, Austin, TX 78767.

MC 113362 (Sub-5-3TA), filed April 7, 1980. Applicant: ELLSWORTH FREIGHT LINES, INC., 310 East Broadway, Eagle Grove, IA 50533. Representative: Milton D. Adams, P.O. Box 429, Austin, MN 55912. *Petroleum products, and synthetic lubricating oil, NOI, (except in bulk), automobile parts and accessories, and such commodities as are used or dealt in by retail fuel stations and automobile service centers*, between the facilities of Exxon Company, U.S.A. at or near Bayonne, and Bayway, NJ; Baton Rouge, LA; Baytown, TX, and Pittsburgh, PA, on the one hand, and, on the other, all points in the United States (except AK and HI). Supporting shipper: Exxon Company, U.S.A. P.O. Box 2180 Houston, TX 77001.

MC 114045 (Sub-5-2TA), filed April 4, 1980. Applicant: TRANS-COLD EXPRESS, INC., P.O. Box 61228, Dallas, TX 75261. Representative: J. B. Stuart (same address as above). *Active bakers yeast* from the facilities of Anheuser-Busch Companies, Inc., at Bakersfield, CA to Corpus Christi, Houston, and San Antonio, TX. Supporting shipper: Anheuser-Busch, Inc., 5455 District Blvd., Bakerfield, CA 93309.

MC 115331, (Sub-5-4TA), filed March 27, 1980. Applicant: TRUCK TRANSPORT, INCORPORATED, 11040 Manchester Road, St. Louis, Missouri 63122. Representative: J. R. Ferris, 11040 Manchester Road, St. Louis Missouri 63122. *Lime and limestone*, from the facilities of Allied Products, at or near Alabaster, AL, to points in AR, FL, GA, KY, LA, MS, NC, SC, and TN. Supporting

shipper(s): Allied Products, P.O. Box 628, Alabaster, Alabama, 35007.

MC 118537 (Sub-5-1TA), filed April 7, 1980. Applicant: MARX TRUCK LINE, INC., 220 Lewis Boulevard, Sioux City, IA 51101. Representative: Robert A. Wichser, P.O. Box 417, Sioux City, IA 51102. *Malt Beverages*, from St. Louis, MO to Sioux Falls, SD. Supporting shipper: L. Beal, Inc., 530 South Prairie, Sioux Falls, SD 57104.

MC 119493 (Sub-13TA), filed April 7, 1980. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, Joplin, Missouri 64801. Representative: Thomas D. Boone, Traffic Manager, Monkem Company, Inc., P.O. Box 1196, Joplin, Missouri 64801. *Chemicals and feed ingredients and materials and supplies used in the manufacturing and distribution thereof (except in bulk)*. Between facilities of BASF Wyandotte Corp. at or near Wyandotte, MI on the one hand And: points in AR, FL, GA, LA, NC, SC, TN, & TX on the other hand. Supporting shipper: E. H. DeVoid, Manager—Transportation, BASF Wyandotte Corp., 100 Cherry Hill road, Parsippany, NJ 07054, Telephone: 1-201-263-0200.

MC 119493 (Sub-5-14TA), filed April 7, 1980. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, Joplin, Missouri 64801. Representative: Thomas D. Boone, Traffic Manager, Monkem Company, Inc., P.O. Box 1196, Joplin, Missouri 64801. *Paints, stains, and varnishes (except in bulk)*. From St. Louis, MO, to points in NE. Supporting shipper: Robert Fischer, President; E.H. Fischer, Inc., 826 S. 18th Street, St. Louis, MO 63103 Telephone: 1-314-231-5708.

MC 119741 (Sub-5-1TA), filed April 7, 1980. Applicant: GREEN FIELD TRANSPORT COMPANY, INC., 1515 Third Avenue, N.W., P.O. Box 1235, Fort Dodge, IA 50501. Representative: D. L. Robson P.O. Box 1235, Fort Dodge, IA 50501. *Scrap metals*. (1) from the facilities of Webster City Iron and Metal Co., Inc. at Webster City, IA to points in Minneapolis, MN and Norfolk, NE and their commercial zones; and (2) from the facilities of Interstate Iron and Metal, a subsidiary of Webster City Iron and Metal Co., Inc., at Mason City, IA to points in Chicago, IL, Minneapolis, MN, Norfolk, NE, and St. Louis, MO and their commercial zones. Supporting shipper: Webster City Iron and Metal Co. Inc., 505 Seneca St, Webster City, IA 50595.

MC 121658 (Sub-5-2TA), filed April 7, 1980. Applicant: STEVE D. THOMPSON TRUCKING, INC., P.O. Box Drawer 149, Winnsboro, IA 51295. Representative: Robert L. McAarty, 1500 Deposit Guaranty Plaza, P.O. Box 22628,

Jackson, MS 39205. (1) *Power supply cords*; (2) *electric cord sets*; (3) *battery cables with terminals*; and (4) *cable harnesses* between Clinton and Dumas, AR on the one hand, and, on the other, Memphis, TN; restricted to traffic originating at or destined to facilities utilized by Belden Corporation. Supporting shipper(s): Belden Corporation, 2000 S. Batavia, Geneva, IL 60134.

MC 124141 (Sub-5-6TA), filed March 31, 1980. Applicant: JULIAN MARTIN, INC., Hwy 25 W P.O. Box 3348, Batesville, AR 72501. Representative: Timothy C. Miller, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101. (1) *Foodstuffs*; (2) *Materials and supplies used in the manufacture and distribution of foodstuffs* between points in the states of AL, AR, IL, IA, MI, MO, NY, PA, TN, TX, VA and WV, restricted to shipments originating at or destined to the facilities of or used by Bama Food Products, Birmingham Distribution Center. Supporting shipper: Birmingham Distribution Center, Bama Food Products, 3900 Vanderbilt Road, Birmingham, AL 35217.

MC 124141 (Sub-5-7TA), filed April 7, 1980. Applicant: JULIAN MARTIN, INC., Highway 25 West, P.O. Box 3348, Batesville, AR 72501. Representative: Timothy C. Miller, Suite 301, 1307 Dolley Madison Blvd., McLean, VA 22101. *Canned pineapple* from Brownsville, TX to points in AL, AR, GA, IL, IN, IA, KS, KY, LA, MN, MS, MO, NE, OH, OK, TN, WV, and WI. Supporting shipper: San Antonio Foreign Trading Company, 306 W. Rhapsody, San Antonio, TX 78216.

MC 124673 (Sub-5-1TA), filed April 4, 1980. Applicant: FEED TRANSPORTS, INC., P.O. Box 2167, Amarillo, Texas 79105. Representative: Gail Johnson, P.O. Box 2167, Amarillo, TX 79105. *Bone chips, in bulk*, from the facilities of Iowa Beef Processors, Inc. at or near Amarillo, TX, and Empoia, KS to points in OK, AR, TX, LA and MS. Supporting shipper: Iowa Beef Processors, Inc., Dakota City, NE 68731.

MC 124673 (Sub-5-2TA), filed March 31, 1980. Applicant: FEED TRANSPORTS, INC., P.O. Box 2167, Amarillo, TX 79105. Representative: Gail P. Johnson, P.O. Box 2167, Amarillo, TX 79105. (1) *Meats, meat products, meat by-products, and articles distributed by meat packing houses* and (2) *materials, equipment and supplies as are used by or dealt in my meat packing houses*, between the facilities of National Beef Packing Co., located at Liberal, KS, on the one hand, and, on the other, points in the U.S. Supporting shipper: National Beef Packing Co., 1501 E. 8th Street, Liberal, KS 67901.

MC 124813 (Sub-4TA), filed April 7, 1980. Applicant: UMTUN TRUCKING CO., 910 South Jackson Street, Eagle Grove, IA 50533. Representative: William L. Fairbank, 1980 Financial Center, Des Moines, IA 50309. *Materials and supplies used in the manufacture and distribution of cast iron products, from points in the U.S. in and west of MI, IN, IL, MO, AR, and TX (except AK and HI) to the facilities of Griffin Pipe Products Co. in Pottawattamie County, IA. Supporting shipper: Griffin Pipe Products Co., 2000 Spring Road, Oak Brook, IL, 60521.*

MC 126118 (Sub-11TA), filed April 7, 1980. Applicant: CRETE CARRIER CORPORATION P.O. Box 81228, Lincoln, NE 68501. Representative: David R. Parker, P.O. Box 81228, Lincoln, NE 68501. *Such commodities as are dealt in or used by manufacturers and distributors of dried yeast (except commodities in bulk, in tank vehicles), from Rhinelander, WI and points in its commercial zone to points in CA. Supporting shipper: W. Glenn Wunderly Company, W. Glenn Wunderly, President, 1800 Floradale Ave., So. El Monte, CA 91733.*

MC 129032 (Sub-5-2TA), filed April 8, 1980. Applicant: TOM INMAN TRUCKING, INC., 5656 South 129th East Avenue, Tulsa, Oklahoma 74145. Representative: Larry J. Kramer, 5656 South 129th East Avenue, Tulsa, Oklahoma 74145. *Chemicals, chemical products, industrial and food additives, materials, equipment and supplies used in the production of above commodities (except commodities in bulk, in tank vehicles) between points in the United States (except Alaska and Hawaii) with merchandise either originating at or destined to the facilities owned and/or operated by Kelco Division of Merck and Company, Inc. Supporting shipper: Kelco Div. of Merck & Co., Inc., P.O. Box 998, Okmulgee, Oklahoma 74447.*

MC 129222 (Sub-5-1TA), filed March 31, 1980. Applicant: FORD TRUCK LINE, INC., South Lynn Street, Tipton, IA 52772. Representative: James M. Hodge, 1980 Financial Center, Des Moines, IA 50309. *Nitrogen fertilizer solution, in bulk, from Fulton, IL, to points in Dubuque, Delaware, Jackson, Jones, Linn, Clinton, Cedar, Johnson, Scott and Muscantine Counties, IA. Supporting shipper: Twin-State Engineering and Chemical Company, 2435 Kimberly Road, Suite 15, Bettendorf, IA 52772.*

MC 133805 (Sub-5-4TA), filed April 8, 1980. Applicant: LONE STAR CARRIERS, INC., Rt. 1, Box 48, Tolar, TX 76476. Representative: Harry F. Horak, Suite 115, 50001 Brentwood Stair

Road, Fort Worth, TX 76112. *Paints, stains, varnishes, and caulking compounds with related display and advertising materials, and materials, equipment and supplies used in the manufacture of paints, stains, varnishes, and caulking compounds (except commodities in bulk, in tank vehicles), requiring the use of vehicles with refrigeration, between the facilities of United Coatings, Inc. located at Memphis, TN and Indianapolis, IN, on the one hand, and, on the other, points in AZ, CO, KS, NE, OK, NM and TX. Supporting shipper: United Coatings, Inc., 3050 N. Rockwell, Chicago, IL 60618.*

MC 134286 (Sub-5-6TA), filed April 4, 1980. Applicant: ILLINI EXPRESS, INC., P.O. Box 1564, Sioux City, IA 51102. Representative: Julie Humbert (same address as above). *Toilet preps (except in bulk) from the facilities of Charles of the Ritz Group Ltd. at Holmdel, NJ, to Chicago, IL, and points in their respective commercial zones. Restricted to traffic originating at the named origin and destined to the named destination. Supporting shipper: D. J. Collins, Charles of the Ritz Group Ltd., Route 35, Holmdel, NJ 07733.*

MC 135007 (Sub-5-4TA), filed April 7, 1980. Applicant: AMERICAN TRANSPORT, INC., 7850 "F" Street, Omaha, Nebraska 68127. Representative: Arthur J. Cerra, 2100 TenMain Center, P.O. Box 19251, Kansas City, Missouri 64141. *Contract, irregular, meat, meat products and meat byproducts, and articles distributed by meat packinghouses as described in Sections A and C of Appendix I to the Report in Descriptions in Motor Carrier Certificates 61 M.C.C. 209 and 766 (except hides and commodities in bulk), BETWEEN the facilities of Royal Packing Company at National Stockyards, IL; St. Louis, MO; Wichita, KS; Omaha, NE, St. Joseph and Kansas City, MO. Supporting shipper: Royal Packing Company, St. Clair Avenue & Ice Plant Road, National Stockyards, IL 62071.*

MC 135326 (Sub-5-3TA), filed April 4, 1980. Applicant: SOUTHERN GULF TRANSPORT, INC., 4277 North Market Street, Shreveport, Louisiana 71107. Representative: M. D. Wood, 2500 McCain Boulevard, Suite 103, North Little Rock, Arkansas 72116. *Ground limestone in bulk hopper tanks from the facilities of 3-M Company in Little Rock, AR to the facilities of Owens-Corning Fiberglass in Memphis, TN. Supporting shipper: Owens-Corning Fiberglass Corporation, Fiberglass Tower, Toledo, Ohio 43659.*

MC 135326 (Sub-5-4TA), filed April 4, 1980. Applicant: SOUTHERN GULF TRANSPORT, INC., 4277 North Market Street, Shreveport, Louisiana 71107. Representative: M. D. Wood, 2500 McCain Boulevard, Suite 103, North Little Rock, Arkansas 72116. *Roofing granules from the facilities of Reed Company, Inc. in Memphis, TN to Little Rock, AR. Supporting shipper: Masonite Corporation, 2500 East Roosevelt, Little Rock, Arkansas.*

MC 135843 (Sub-5-1TA), filed April 7, 1980. Applicant: IOWA GATEWAY, INC., d.b.a. IOWA GATEWAY TERMINAL, River Road, Keokuk, IA 52632. Representative: William L. Fairbank, 1980 Financial Center, Des Moines, IA 50309. *Railway car wheels from Philadelphia, PA, to Alliance, NE. Supporting shipper: Railcar Maintenance, a Subsidiary of PLM, Inc., 50 California St., San Francisco, CA 94111.*

MC 138469 (Sub-5-3TA), filed April 8, 1980. Applicant: DONCO CARRIERS, INC., 4720 SW. 20th St., Oklahoma City, OK 73128. Representative: Jack H. Blanshan, 205 West Toughy Ave., Suite 200, Park Ridge, IL 60068. (1) *Glassware, glass containers, caps, covers, stoppers, and tops, (2) Materials, equipment and supplies used in the manufacture, sale and distribution of commodities named in one (1) above. Between the facilities of Libbey Glass, division of Owens-Illinois, located at or near City of Industry and Mira Loma, CA, Shreveport, LA, and Toledo, OH, on the one hand, and, on the other hand, points in the U.S. (except AK & HI). Restriction: Restricted in parts one (1) and two (2) above to the transportation of traffic originating at or destined to the facilities of Libbey Glass, division of Owens-Illinois. Supporting shipper: Libbey-Glass Div. of Owens-Illinois, P.O. Box 919, Toledo, OH 43693.*

MC 140665 (Sub-5-10TA), filed April 7, 1980. Applicant: PRIME, INC., Route 1, Box 115-B, Urbana, MO 65767. Representative: Clayton Geer, P.O. Box 786, Ravenna, Ohio 44266. *Toilet preparations, drugs, medicines, chemicals, rubbing alcohol, and epsom salts, in vehicles equipped with mechanical temperature controlled units. From the facilities of L. T. York Company at or near Brookfield, MO to Seattle, WA. Supporting shipper: L. T. York Company, 6003 6th Avenue, South, Seattle, Washington 98108.*

MC 140665 (Sub-5-11TA), filed April 7, 1980. Applicant: PRIME, INC., Route 1, Box 115-B, Urbana, MO 65767. Representative: Clayton Geer, P.O. Box 786, Ravenna, Ohio 44266. *Foodstuffs, (except commodities in bulk), from the*

facilities of American Home Products Corporation located at or near LaPorte, IN to points in AR, LA, MS and TX. Supporting shipper: American Home Foods Division of American Home Products Corporation, 685 Third Avenue, New York, New York 10017.

MC 140808 (Sub-5-1TA), filed April 7, 1980. Applicant: GARY MATHENEY, Lebanon, NE 69036. Representative: Scott T. Robertson, Peterson, Bowman & Johanns, 521 S. 14th St., Suite 500, P.O. Box 81849, Lincoln, NE 68501. *Feeds and feed ingredients*, from Lincoln and Omaha, NE and Kansas City, MO, and their respective commercial zones to the facilities of Swine Confinement Breeders, Inc. and Oberlin Milling, Inc. at or near Clayton and Oberlin, KS. Supporting shippers: Swine Confinement Breeders, Inc., William M. Kirk, President, Clayton, KS 67629 and Oberlin Milling Company, Inc., Kent Rinehart, Vice President, Oberlin, KS 67749.

MC 141108 (Sub-5-3TA), filed April 7, 1980. Applicant: D & C EXPRESS, INC., P.O. Box 746, Wilton, IA 52778. Representative: Kenneth F. Dudley, P.O. Box 279, Ottumwa, IA 52501. (1) *Iron and steel articles*, and (2) *equipment, materials and supplies* used in the manufacture or distribution of the commodities in (1), (except commodities in bulk), between Wilton, IA on the one hand, and, on the other, points in IL, MO and WI. Supporting shipper: Penn-Dixie Steel Corp., 1109 South Main Street, Kokomo, IN 46901.

MC 142288 (Sub-5-1TA), filed March 26, 1980. Applicant: HAMILTON TRUCKING COMPANY OF OKLAHOMA, INC., 12612 Admiral Place, Tulsa, Oklahoma 74115. Representative: Virginia Hamilton (same address as applicant). *Salt*, From Port of Catoosa, OK to points in AR on and west of U.S. HWY 65; points in KS on and south of U.S. HWY 56; points in MO on and west of U.S. HWY 63 and on and south of U.S. HWY 50; and to points in TX on and north of Interstate HWY 20. Supporting shipper: Cargill, Incorporated, P.O. Box 9300—Research Bldg., Minneapolis, MN 55440.

MC 143607 (Sub-5-2TA), filed April 7, 1980. Applicant: BAYWOOD TRANSPORT, INC., Route 6, P.O. Box 2611, Waco, TX 76706. Representative: E. Stephen Heisley, Suite 805, 666 Eleventh St. NW., Washington, D.C. 20001. *Contract; irregular* (1) *Such commodities (except in bulk) as are used by customers of Warner-Lambert Company and* (2) *materials, equipment and supplies (except in bulk), used in the manufacture and distribution of the commodities in (1) above between*

points in the U.S. (except AK and HI), restricted to traffic originating at or destined to the facilities of Warner-Lambert Company, and its subsidiaries, divisions and affiliates, and further restricted to traffic under a continuing contract(s) with Warner Lambert Company of Morris Plains, NJ. Supporting shipper: Warner-Lambert Company, 201 Tabor Road, Morris Plains, NJ 07950.

MC 144604 (Sub-5-1TA), filed April 7, 1980. Applicant: J & R AUTO TRANSPORT, INC., P.O. Box 27, Summersville, MO 65571. Representative: Tom B. Kretsinger, Kretsinger & Kretsinger, 20 East Franklin, Liberty, MO 64068. *Used cars and used trucks*, between points in the States of AZ, AR, CA, CO, ID, IL, IN, IA, KS, LA, MI, MN, MO, MT, NE, NV, NM, ND, OH, OK, OR, SD, TX, UT, WA, WI, and WY. Supporting shippers: 16 supporting shippers.

MC 144622 (Sub-5-8), filed March 31, 1980. Applicant: GLENN BROTHERS TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: Phillip G. Glenn (same address as applicant). *Merchandise as is sold and used by wholesale, retail, and discount stores (except commodities in bulk in tank vehicles)* between Jackson, TN on the one hand and on the other hand; points in CA, CT, DE, ID, KY, ME, MD, MA, MT, NV, NH, NJ, NM, NY, NC, ND, OR, PA, RI, SC, SD, UT, VT, VA, WA, WV and WY. Supporting shipper: American Olean Tile, 1000 Cannon Avenue, Lansdale, PA 19446.

MC 144622 (Sub-5-9TA), filed April 7, 1980. Applicant: GLENN BROTHERS TRUCKING, INC., P.O. Box 9343, Little Rock, AR 72219. Representative: Phillip G. Glenn (same address as applicant). *Boxes of television sets; recorders (tape or wire); and accessories for television sets and recorders* (1) from the facilities of the General Electric Company Portsmouth, VA, to the facilities of the General Electric Company Little Rock, AR and (2) from the facilities of the General Electric Company at Little Rock, AR to all points in the states of LA, MS, NM, OK and TX over irregular routes. Supporting shipper: General Electric Company, 6901 Lindsey Road, Little Rock, AR 72206.

MC 144363 (Sub-5-1TA), filed April 8, 1980. Applicant: HIRSCHBACH MOTOR LINES, INC., P.O. Box 417, Sioux City, IA 51102. Representative: George L. Hirschbach, P.O. Box 417, Sioux City, IA 51102. *Contract, irregular. Such commodities as are dealt in or used by retail stores (except foodstuffs and commodities in bulk)*, from Tacoma and Seattle, WA, to the facilities of Modern

Merchandising, Inc., at points in AR, CO, FL, MN, ND, SD, UT and WY, under contract with Modern Merchandising, Inc., of Minnetonka, MN. Supporting shipper: Modern Merchandising, Inc., 5101 Shady Oak Road, Minnetonka, MN 55343.

MC 145030F (Sub-5-1TA), filed April 7, 1980. Applicant: GREEN COUNTRY BUS LINES, INC., Route No. 2, Vian, OK 74962. Representative: C. L. Phillips, Room 248, Classen Terrace Bldg., 1411 N. Classen, Oklahoma City, OK 73106. *Passengers* (1) Between Poteau, OK and Fort Smith, AR, via U.S. Hwy 271 and U.S. Hwy 59, serving all intermediate points; (2) Between Arkoma, OK and Fort Smith, AR, via U.S. Hwy 271 and State Hwy 9A; (3) Between Pocola, OK and Ft. Smith, AR, via Hwy 271 and unnumbered County Road. Supporting shippers: 10 supporting shippers.

MC 145150 (Sub-5-2TA), filed April 7, 1980. Applicant: HAYNES TRANSPORT CO., INC., P.O. Box 9, R.R. 2, Salina, KS 67401. Representative: Clyde N. Christey, KS Credit Union Bldg., 1010 Tyler, Suite 110L, Topeka, KS 66612. *Liquid fertilizer solutions*: From the facilities of Chevron Chemical Co. at or near Friend, KS to CO, NE, OK, NM and TX. Supporting shipper: Chevron Chemical Co., 3001 LBJ Freeway, Suite 139, Dallas, TX 75234.

MC 145475 (Sub-5-1TA), filed April 7, 1980. Applicant: FRONTIER LEASING, INC., Route 7, Box 173, Joplin, MO 64801. Representative: Bruce McCurry, Dickey, Allemann & McCurry, 910 Plaza Towers, Springfield, MO 65804. *Contract carrier, irregular routes, Aluminum billets, ingots and sows; aluminum extrusions; scrap metals; steel shot in drums (not ammunition); ferro silicon, ferro manganese, compound foundry core, silicas and in bags, barrels or boxes, furnace kiln lining, temperature bonding, (Restricted against transportation of commodities in dump vehicles)* between Monett, MO on the one hand and, on the other, points in AL, AZ, AR, CA, CO, FL, GA, IL, IN, IA, KY, KS, LA, MI, MN, MS, MO, NB, NM, OH, OK, SC, TN, TX, UT, WV, WI, WY and between Pryor, OK and its commercial zone on the one hand and, the other, points in AL, GA, IL, IN, KY, MI, MO, OH, OK, TN, WI. Supporting shipper: Well's Aluminum, Inc., Division of Revere, Copper & Brass, Inc., 808 County Road, Monett, MO; Pryor Foundry, Inc., P.O. Box 549, Pryor, OK 74361.

MC 145715 (Sub-5-3TA), Filed March 31, 1980. Applicant: BELL TRUCKING, INC., 2504 Industrial Park Road, Van Buren, AR 72756. Representative: Elaine M. Conway, 10 S. LaSalle Street, Chicago, IL 60603. *Fresh meats* From the

facilities of John Morrell & Co. at Fort Smith, AR to Montgomery, AL. Supporting shipper: John Morrell & Co., 208 S. LaSalle, Chicago, IL 60604.

MC 145770 (Sub-5-1TA), filed April 7, 1980. Applicant: KEITH JUSTICE, d.b.a. JUSTICE TRUCKING, 128 Hillside Drive, Minden, IA 51553. Representative: Arlyn L. Westergren, Westergren & Hauptman, P.C., Suite 106, 7101 Mercy Road, Omaha, NE 68106. *Meat and packinghouse products (except hides and commodities in bulk)*, from the facilities of John Roth & Son, Inc. at Omaha, NE to Chicago, IL. Supporting shipper: John Roth & Son, Inc., 42nd & T Street, Omaha, NE 68107.

MC 145950 (Sub-5-5TA), filed April 7, 1980. Applicant: BAYWOOD TRANSPORT, INC., Route 6, P.O. Box 2611, Waco, TX 76706. Representative: E. Stephen Heisley, Suite 805, 666 Eleventh St. NW., Washington, DC 20001. *Petroleum products and synthetic lubricating oils, NOI, (except in bulk) automobile parts and accessories, and such commodities as are used or dealt in by retail fuel stations and automobile service centers*, between the facilities of Exxon Company, U.S.A., at or near Bayonne and Bayway, NJ, Baton Rouge, LA, Baytown, TX, and Pittsburgh, PA, on the one hand, and, on the other, all pts. in the U.S. (except AK and HI). Supporting shipper: Exxon Company, U.S.A., P.O. Box 2180, Houston, TX 77001.

MC 145966 (Sub-5-1TA), filed April 7, 1980. Applicant: NELSEN BROS., INC., P.O. Box 613, Nebraska City, NE 68410. Representative: Bradford E. Kistler, P.O. Box 82028, Lincoln, NE 68501. *Non-alcoholic beverages (except in bulk)*, from the facilities of Shasta Beverages at or near Lenexa, KS, to points in ND, SD, NE, MN, IA, WI and IL. Supporting shipper: Shasta Beverages, 9901 Widmer, Lenexa, KS 66215.

MC 146078 (Sub-5-4TA), filed April 7, 1980. Applicant: CAL-ARK, INC., 854 Moline, P.O. Box 610, Malvern, AR 72104. Representative: John C. Everett, 140 E. Buchanan, P.O. Box A, Prairie Grove, AR 72753. *Such commodities as are dealt in by wholesale grocery outlets*, (1) from the plant site facilities of A. E. Staley Manufacturing Company, Inc. in Cicero, IL, and Broadview, IL, to the plant site facilities of A. E. Staley Manufacturing Company, Inc. in Arlington, TX, and all points and places in AZ, NM, and CA, and (2) from the plant site facilities of A. E. Staley Manufacturing Company in Arlington, TX, to all points and places in AR, OK, AZ, NM, and CA, and (3) from the facilities of the Griffin Manufacturing Company, in Muskogee, OK, to all

points and places in AR, OK, TX, MO, KS, and LA. (Restricted to traffic moving on an A. E. Staley Manufacturing Co. bill of lading.) Supporting shipper: A. E. Staley Manufacturing Company, Inc., 2222 Kensington Court, Oak Brook, IL 60521.

MC 146326 (Sub-5-1TA), filed April 7, 1980. Applicant: JOHN ALGER, SR., d.b.a. ALGER TRANSPORTATION, 9811 Redman Avenue, Omaha, NE 68134. Representative: Marshall D. Becker of Stern & Becker, P.C., Suite 610, 7171 Mercy Road, Omaha, NE 68106. *Pine moulding*, from Chico, CA to Colorado Springs, CO; Detroit and Troy, MI; Ft. Worth, Greenville and Longview, TX; Toledo, OH; Ocala, FL; and Lake Charles, LA. Supporting shipper: Sierra Pacific Industries, P.O. Box 600, Chico, CA 95927.

MC 149393 (Sub-5-2TA), filed April 4, 1980. Applicant: DARRELL MADDEN, d.b.a. DARRELL MADDEN TRUCKING, 2232 E. Maime Eisenhower Avenue, Boone, Iowa 50036. Representative: Larry D. Knox, 600 Hubbell Building, Des Moines, IA 50309. *Pulpboard*, from the facilities of Sonoco Products Company at or near Rockton, Illinois to Boone, Iowa. Supporting shipper: Sonoco Products Company, Hartsville, South Carolina 29550.

MC 150414 (Sub-5-1TA), filed March 31, 1980. Applicant: RICHARD P. SHARPE, R.R. No. 1, Paris, MO 65275. Representative: Thomas P. Rose, Attorney at Law, P.O. Box 205, Jefferson City, MO 65102. Contract; Irregular: 1 (a) *Grain Cleaners*, and (b) *Grain Bins*, and their component parts, attachments and accessories, from Clarence, MO to points in IL, IA and KS, and 2 (a) *Grain Cleaners*, and (b) *Materials used in the manufacture of Grain Bins*, and component parts of, attachments to, and accessories for Grain Bins, from points in IL, IA and KS to Clarence, MO. Supporting shipper: Golden Grain Corporation, Highway 36 West, P.O. Box 188, Clarence, MO 63437.

MC 150199 (Sub-5-2TA), filed April 4, 1980. Applicant: MISSOURI AND NORTH ARKANSAS TRANSPORTS, INC., 511 Huntington Place, Harrison, AR 72601. Representative: Jay C. Miner, P.O. Box 313, Harrison, AR 72601. Common, regular. *General commodities, with usual exceptions*, between Harrison, AR and St. Louis, MO, and points in their commercial zones, from Harrison over U.S. Highway 65 to Springfield, MO, then over Interstate Highway 44 to St. Louis and return over the same route, serving no intermediate points. Supporting shipper: There are 24 supporting shippers.

The following applications were filed in Region 6. Send protests to: Interstate Commerce Commission, Region 6, Motor Carrier Board, P.O. Box 7413, San Francisco, CA 94120.

MC 150529 (Sub-6-1TA), filed April 10, 1980. Applicant: AMERICAN FINE FOODS, INC., P.O. Box 460, Payette, ID 83661. Representative: David E. Wishney, P.O. Box 837, Boise, ID 83701. *Contract carrier*, over irregular routes, transporting *carbonated beverages other than alcoholic*, from the facilities of Western Bottling Company, Inc., at or near Spokane, WA to Boise, Payette, and Twin Falls, ID and the commercial zones thereof, for 180 days; restricted as follows: (1) To traffic moving for the account of Western Bottling Company, Inc.; (2) Applicant shall maintain separate accounts and records for its for-hire operations distinct from its other business activities, and (3) Applicant shall not at the same time and in the same vehicle transport property both as a private carrier and as a for-hire carrier. An underlying ETA seeks 90 days authority. Supporting shipper: Western Bottling Company, Inc., 4014 E. Sprague Ave., Spokane, WA 99202.

MC 139305 (Sub-6-1TA), filed April 10, 1980. Applicant: LONNY RAYE CUMMINGS, d.b.a. AMERICAN MACHINERY MART, Hwy 16 and Railroad Ave., Madison, CA 95653. Representative: Armand Karp, 743 Simeon Drive, Concord, CA 94518. *Contract Carrier*, Irregular routes: *Conveyors, conveyor components and conveyor parts*, between Danville, KY, and points in AL, AR, CT, DE, DC, FL, GA, IL, IN, IA, KS, LA, ME, MD, MA, MI, MN, MS, MO, NE, NH, NJ, NY, NC, OH, OK, PA, RI, SC, TN, TX, VT, VA, WV, WI, for the account of Rexnord, Inc. for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Rexnord, Inc., Lebanon Road, Danville, KY 40422.

MC 138313 (Sub-6-3TA), filed April 9, 1980. Applicant: BUILDERS TRANSPORT, INC., 409 14th Street S.W., Great Falls, MT 59404. Representative: Irene Warr, 430 Judge Building, Salt Lake City, UT 84111. *Drilling mud, drilling mud additives, and barites*, from Eureka and Lander Counties, NV to points on the International Boundary between the United States and Canada in WA, ID & MT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Milchem Canada, Ltd., 309 2nd Ave. S.W., Calgary, Alberta T2P 0C5; Dresser Industries, Inc., Magcobar Division, Box 479, Blackfalds, Alberta TOM OJO.

MC 144810 (Sub-6-1TA), filed April 10, 1980. Applicant: FLOYD M. CROSS, 62911 Lopez Street, Espanola, NM 87532. Representative: Roger V. Eaton, Campbell, Cherpelis & Pica, P.O. Drawer 965, Albuquerque, NM 87108. *Contract carrier*, irregular routes: *Plastic containers, materials and supplies used or useful in production and marketing thereof*, between Denver, CO and points in KS, TX, CA and OK, for the account of Hoover Universal, Inc., Denver, CO for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Hoover Universal, Inc., 4990 Ironton Street, Denver CO 80239.

MC 126128 (Sub-6-1TA), filed April 10, 1980. Applicant: D. H. TRUCKING CO., Route 1, Box 39, Lyons, Oregon 97358. Representative: Lawrence V. Smart, Jr., 419 N.W. 23rd Avenue, Portland, Oregon 97210. *Lumber*, from the facilities of Cedar Lumber Co. near Lyons, OR, to Vancouver, WA, restricted to traffic having a subsequent movement by water, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Cedar Lumber, Incorporated, P.O. Box 275, Mill City, Oregon 97360.

MC 125433 (Sub-6-17TA), filed April 9, 1980. Applicant: F-B TRUCK LINE COMPANY, 1945 South Redwood Road, Salt Lake City, UT 84104. Representative: John B. Anderson (same as applicant). *Canned goods*, from San Jose, CA to points in the U.S. (except AK and HI). Restricted to shipments originating at the facilities of Sun Garden Packing Company for 180 days. Supporting shipper: Sun Garden Packing Company, 1582 South First Street, San Jose, CA 95150.

MC 124472 (Sub-6-1TA), filed April 10, 1980. Applicant: HARDING TRANSPORTATION, INC., 6875 East Evans Avenue, Denver, Colorado 80222. Representative: Charles J. Kimball, Kimball, Williams & Wolfe, P.C., 350 Capitol Life Center, 1600 Sherman Street, Denver, Colorado 80203. *Contract carrier*, irregular routes. *Glass and glass products and materials and supplies used in the manufacture and installation of glass and glass products*, from: points in NC, OK, MO, WV, MD, PA, TX, TN, CA, MI, IL, OH and GA, to: points in MO, OK, KS, NM, CO, NE, IA, TX, AR, SD, WY, UT, AZ and IL, for the account of Harding Glass, Industries, for 180 days. Supporting shipper: Harding Glass Industries, 5301 East Ninth Street, Kansas City, MO 64124.

MC 141548 (Sub-6-5TA), filed April 10, 1980. Applicant: INTERIOR TRANSPORT, INC., P.O. Box 3347, Terminal Annex, Spokane, WA 99220. Representative: George H. Hart, 1100 IBM Building, Seattle, WA 98101. *Steel*

coils from the facilities of Supracote, Inc., Rancho Cucamonga, CA to points in CO, ID, MT, OR, UT and WA for 180 days. Supporting shipper: Supracote, Inc., 11200 Arrow Highway, Rancho Cucamonga, CA 91730.

MC 141548 (Sub-6-6TA), filed April 10, 1980. Applicant: INTERIOR TRANSPORT, INC., P.O. Box 3347, Terminal Annex, Spokane, WA 99220. Representative: George H. Hart, 1100 IBM Building, Seattle, WA 98101. *Lime in sacks* from points in UT and NV to points in CA and OR for 180 days. Supporting shipper: Flintkote Lime Co., 215 Market Street, San Francisco, CA 94105.

MC 148341 (Sub-6-1TA), filed April 3, 1980. Applicant: MASS TRANSIT, INC., 2450 Orange Avenue, Signal Hill, CA 90806. Representative: Floyd Barnes (same as applicant). *General commodities* (except those of unusual value, class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) which are at the time moving on bills of lading issued by ABC-TNT, a freight forwarder as defined in Section 10102(8) of the Interstate Commerce Act, between points in: Washington, Oregon, Nevada, Utah, Arizona, California and Colorado, and points in Arkansas, Louisiana, Michigan, Indiana, Missouri, Texas, Tennessee, Connecticut, Oklahoma, Kentucky, Mississippi, Ohio, Pennsylvania, New York, New Jersey and Illinois, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Jay Harn, Vice-President, Western Region of ABC-TNT, Los Angeles, CA 90031, 2110 Alhambra Avenue (213) 223-1452.

MC 142686 (Sub-6-6TA), filed April 9, 1980. Applicant: MID-WESTERN TRANSPORT, INC., 10506 South Shoemaker Avenue, Santa Fe Springs, CA 90670. Representative: Joseph Fazio (same as applicant). *Contract carrier*, irregular routes: *Cleansing and scouring compounds*, between the facilities of Dynachem Corporation in Orange County, CA, on the one hand, and, on the other, Indianapolis and Terre Haute, IN; Elmhurst, Illinois, Herndon, VA; Charlotte and Matthews, NC; Moss Point, MI; Kearney, NJ; Farmingdale, NY; Woburn and South Hadley Falls, MA. From Moss Point, MI, to Charlotte and Matthews, NC; South Hadley Falls, MA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Thiokol/Dynachem Corporation, 2631 Michelle Drive, Tustin, CA 92680.

MC 129631 (Sub-6-1TA), filed April 7, 1980. Applicant: PACK TRANSPORT, INC., 3975 S. 300 W., Salt Lake City, UT

84107. Representative: G. D. Davidson (same address as above). *Steel pipe* from Clackamas, OR to Denver, CO and points within 10 miles of Denver, CO, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Northwest Pipe & Casing Co., 9200 SE Lawnfield Rd., Clackamas, OR 97015.

MC 52709 (Sub-6-4TA), filed April 10, 1980. Applicant: RINGSBY TRUCK LINES, INC., 3980 Quebec St., P.O. Box 7240, Denver, CO 80207. Representative: Rick Barker (same as applicant). *Beverages (except in bulk)*, from Lenexa, KS to Minneapolis and St. Paul, MN, and points in their respective commercial zones, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Shasta Beverage, 9901 Widmer Rd., Lenexa, KS 66015.

MC 135082 (Sub-6-5TA), filed April 9, 1980. Applicant: ROADRUNNER TRUCKING, INC., P.O. Box 26748, Albuquerque, NM 87125. Representative: D. F. Jones (same as applicant). *Iron and steel articles*, (1) between points in AZ, CO, and NM; (2) from points in AZ, CO, and NM, to points in AR, CA, KS, LA, NV, MT, OK, OR, TX, UT, WA, and WY; (3) from points in AR, LA, MO, OK, and TX, to points in AZ, CO, and NM; (4) from points in CA, ID, MT, NV, OR, UT, WA, and WY, to points in AZ, CO, and NM, for 180 days. Applicant intends to tack the separate authorities herein sought at points in the common gateway states of AZ, CO, and NM in order to provide a through service. Supporting shipper(s): "There are (11) Shippers. Their statements may be examined at the Regional office listed."

MC 26396 (Sub-6-19TA), filed April 9, 1980. Applicant: THE WAGONERS TRUCKING, P.O. Box 31357, Billings, MT 59107. Representative: Bradford E. Kistler P.O. Box 82028, Lincoln, NE 68501. *Common carrier*, regular route: (1) *Machinery, equipment, materials and supplies used in or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum and their products and by-products*; (2) *Machinery, materials, equipment and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipelines, including the stringing and picking up thereof*; and (3) *Iron and steel articles used in the manufacture of commodities named in (1) and (2) above*, Between Houston, TX and its commercial zone, on the one hand, and, on the other, the port of entry at Sweetgrass, MT, serving the intermediate points in Dallas, TX and Oklahoma City, OK, and points in their

commercial zones, and the off route points of Tulsa, OK and Beaumont and Fort Worth, TX, and points in their commercial zones. (a) From Houston, TX over Interstate Hwy I-45 to Dallas, TX, then over Interstate Hwy I-35 East to junction Interstate Hwy I-35, then over Interstate Hwy I-35 to junction Interstate Hwy I-135, then over Interstate Hwy I-135 to junction Interstate Hwy I-70, then over Interstate Hwy I-70 to Denver, CO, then over Interstate Hwy I-25 and U.S. Hwy 87 to junction Interstate Hwy I-90, then over Interstate Hwy I-90 and U.S. Hwy 87 to Billings, MT, then over Interstate Hwy I-90 and U.S. Hwy 10 to junction U.S. Hwy 287, then over U.S. Hwy 287 to junction Interstate Hwy I-15, the over Interstate Hwy I-15 and U.S. Hwy 91 to Sweetgrass, MT and return over the same route; (B) From junction Interstate Hwy I-70 and U.S. Hwy 183 over U.S. Hwy 183 to junction Interstate Hwy I-90, then over Interstate Hwy I-90 to junction SD Hwy 34, then over SD Hwy 34 to junction U.S. Hwy 85, then over U.S. Hwy 85 to junction U.S. Hwy 212, then over U.S. Hwy 212 to junction Interstate Hwy I-90, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points and serving the junction of Interstate Hwy I-70 and U.S. Hwy 183 and the junction of U.S. Hwy 212 and Interstate Hwy I-90 for purposes of joinder only in connection with route (A) above. (C) From Billings, MT over MT Hwy 3 to junction U.S. Hwy 12, then over U.S. Hwy 12 to junction U.S. Hwy 191, then over U.S. Hwy 191 to junction U.S. Hwy 87, then over U.S. Hwy 87 to junction Interstate Hwy I-15, then over Interstate Hwy I-15 and U.S. Hwy 91 to Sweetgrass, MT, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points and serving Billings, MT for purposes of joinder only in connection with route (A) above. Restriction: Restricted in (A), (B) and (C) to the transportation of traffic moving in foreign commerce, and restricted against the transportation of commodities in bulk, for 180 days. An underlying ETA seeks 90 days authority. There are 21 shippers. Their statements may be examined at the San Francisco Regional Office.

MC 58035 (Sub-6-2TA), filed April 10, 1980. Applicant: TRANS-WESTERN EXPRESS, LTD., 48 East 56th Ave., Denver, CO 80216. Representative: David E. Driggers of Jones, Meiklejohn, Kehl & Lyons Suite, 1600 Lincoln Center Bldg., 1660 Lincoln Street, Denver, CO 80264. General commodities (except

household goods as defined by the Commission, commodities of unusual value and Classes A and B explosives) in containers, and empty containers between points in CO and WY on the one hand, and, on the other, points in the United States for 180 days. An underlying ETA seeks 90 days authority. There are 7 supporting shippers. Their statements may be examined at the office listed below.

MC 135803 (Sub-6-5TA), filed April 9, 1980. Applicant: WALLACE TRANSPORT, 9290 E. Hwy 140 (P.O. Box 67), Planada, CA 95365. Representative: Donald M. Fennel (same address as above). Seeds, spices, herbs and other commodities, both exempt and nonexempt as dealt with by Baltimore Spice Company, between the facilities of Baltimore Spice Company at or near Reno, NV and points in CA and AZ for 180 days. Supporting carrier: Baltimore Spice Co., P.O. Box 10947, Reno, NV 89510.

MC 147896 (Sub-6-2TA), filed April 11, 1980. Applicant: WESTERN SONTX, INC., P.O. Box 667, Seal Beach, CA 90740. Representative: Miles L. Kavaller, Mandel & Kavaller, 315 South Beverly Drive, Suite 315, Beverly Hills, CA 90012. Contract carrier, Irregular routes: cornstarch, except in bulk, from Lafayette, IN, Upper Sandusky, OH and Fond du Lac, WI to points in CA for the account of Anheuser-Busch, Inc., Industrial Products Division, for 180 days. Supporting shipper: Anheuser-Busch, Inc., 721 Pestalozzi Street, St. Louis, MO 63118.

MC 143775 (Sub-6-5TA), filed April 9, 1980. Applicant: PAUL YATES, INC., 6601 W. Orangewood, Glendale, AZ 85301. Representative: Michael R. Burke (same as applicant). Foodstuffs (except in bulk) from Clifton, NJ, to TX, OK, AR, LA, CO and CA for 180 days. Supporting shipper: John A. Coneys, Director of Traffic, Globe Products Company, Inc., P.O. Box 1927, Clifton, NJ 07015.

MC 116544 (Sub-6-4TA), filed April 4, 1980. Applicant: ALTRUK FREIGHT SYSTEMS, INC., 1703 Embarcadero Road, Palo Alto, CA 94303. Representative: Richard G. Lougee, P.O. Box 10061, Palo Alto, CA 94303. Cheese, cheese food, cheese spread and synthetic cheese, (1) between Carthage, MO, on the one hand, and, on the other, points in CT, DC, IL, IN, KY, LA, MD, MA, MS, NJ, NM, NY, NC, OH, PA, RI, TN, TX, VA, and WV; (2) between Monett, MO, on the one hand, and, on the other, points in AL, AR, FL, GA, IL, KY, LA, MS, NM, SC, TN, TX, and WI; (3) from IA to MO, restricted in Parts (1), (2), and (3) above to traffic originating at or destined to the facilities of L. D.

Schreiber Cheese Co., Inc., for 180 days. Supporting shipper: L. D. Schreiber Cheese Co., Inc., P.O. Box 610, Green Bay, WI 54305.

MC 147649 (Sub-6-1TA), filed April 4, 1980. Applicant: AMERICAN CONTAINER TRANSPORT, 7350 West Marginal Way, S.W., Seattle, WA 98106. Representative: Iry L. Jones, (same as applicant). Contract carrier: irregular routes: (1) Merchandise as sold in major department stores, from Los Angeles and San Francisco, CA to Pocatello, ID and Seattle, WA and their respective commercial zones, for 180 days. Supporting shipper: Karen S. Diaz, Traffic Manager, The Bon, 17000 Southcenter Parkway, Seattle, WA 98188.

MC 128607 (Sub-6-1TA), filed April 8, 1980. Applicant: BOYD TRUCKING CO., Gas Point Road (P.O. Drawer T), Cottonwood, CA 96022. Representative: Marvin Handler, Handler, Baker, Greene & Taylor, P.C., 100 Pine Street, Suite 2550, San Francisco, CA 94111. Wood residuals from Anderson, CA to Dillard, OR, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Roseburg Lumber Co., P.O. Box 697, Anderson, CA 96007.

MC 71652 (Sub-6-2TA), filed April 7, 1980. Applicant: BYRNE TRUCKING, INC., P.O. Box 280, Medford, OR 97501. Representative: David J. Stewart, P.O. Box 280 Medford, OR 97501. Plastic corrugated sheet, palletized, requiring special equipment for loading and/or unloading between the facilities of Reichhold Chemical Corporation at or near San Diego, CA and Seattle, WA on the one hand, and on the other, Denver, CO, Boise, ID, Kansas City, KS, Phoenix, AZ, Houston, TX, Albuquerque, NM, Salt Lake City, UT, and points in the commercial zones of the above named cities for 180 days. An underlying ETA seeks up to 90 days authority. Supporting shipper: Reichhold Chemical Corporation, P.O. Box 9335-9, San Diego, CA 92109 (714) 273-2331.

MC 147470 (Sub-6-1TA), filed April 7, 1980. Applicant: RAY COBB TRANSPORTATION, 130 Railroad Avenue, Monrovia, CA 91016. Representative: Richard C. Celio, 2300 Camino del Sol, Fullerton, CA 92633. (1) Motor vehicles, weighing less than 7,000 pounds in Truckaway service and owners' personal effects when transported in motor vehicles weighing less than 7,000 pounds in Truckaway service between points in OR, WA, CA, NV, AZ, UT, CO, TX, OK, KS, NE, SD, MN, IA, MO, AR, AL, GA, WI, IL, IN, MI, OH, MD, NJ, NY, PA, and MA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers:

There are ten (10) supporting shippers. Their statements may be examined at the Regional office listed.

MC 42487 (Sub-6-12TA), filed April 4, 1980. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 715 Linfield Drive, Menlo Park, CA 94025. Representative: V. R. Oldenburg, Commerce Supervisor, P.O. Box 3062, Portland, OR 97208. *Classes A, B and C explosives*, From Rockdale, IL to Norfolk, VA and Sunny Point Military Ocean Terminal, NC, for 180 days. Applicant seeks to serve all points in the Rockdale, IL and Norfolk, VA Commercial Zones. Applicant intends to tack to its existing authority and any authority it may acquire in the future. The proposed authority will tack with authority at Rockdale, IL authorizing transportation of Classes A and B explosives contained in Docket No. MC 42487 Sub 308. This will permit Applicant to transport Classes A and B explosives from many points in AZ, CA, CO, ID, IL, MT, NM, NV, ND, OR, UT, WA, WI and WY through Rockdale, IL to Norfolk, VA and Sunny Point Military Ocean Terminal, NC. The proposed authority will also tack at Rockdale, IL with authority to Docket No. MC 42487 Sub 578 and Sub 646 which authorize transportation of general commodities including Class C explosives. This will permit Applicant to transport Class C explosives from points throughout its system through Rockdale, IL to Norfolk, VA and Sunny Point Military Ocean Terminal, NC. Supporting shipper(s): There are no certificate of support attached as this is an application seeking to substitute single-line for joint-line operations. Applicant's statement of support may be examined at the Offices of the Interstate Commerce Commission, Region 6.

MC 67156 (Sub-6-1TA), filed April 7, 1980. Applicant: CONTAINER TRANSPORT COMPANY, Division of Fibreboard Corporation, Foot of Fourth Street (P.O. Box 1409) Antioch, CA 94509. Representative: P. W. Pollock (same as applicant). *Contract Carrier*, Irregular routes: *Paper and Paper articles, including pulpboard and woodpulp*, in sea van containers, from Antioch, CA to Oakland and San Francisco, CA for export by water carriers, and *empty sea van containers* from Oakland and San Francisco, CA to Antioch, CA, for the account of Korea Marine Transport Co., Ltd., and Sea-Land Service, Inc., for 180 days. ETA for 90 day's authority, has been granted. Supporting shippers: Korea Marine Transport Co., Ltd., 333 Market Street, San Francisco, CA 95105; Sea-Land

Service, Inc., One Kaiser Plaza, Suite 1901, Oakland, CA 94105.

MC 141179 (Sub-6-1TA), filed April 7, 1980. Applicant: JAMES R. MCVEIGH, d.b.a. CREST INTERSTATE TRUCKING CO., 1455 First Street, Norco, California 91720. Representative: Richard C. Celio, 2300 Camino Del Sol, Fullerton, Calif. 92633. *Washing and Cleaning Compounds*, from points in California to points in AZ, NV, NM, OR, TX, UT and WA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: White King, 617 East 1st Street, Los Angeles, Calif. 90012.

MC 113678 (Sub-6-5TA), filed April 4, 1980. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, CO 80022. Representative: Roger M. Shaner (same as above). *Meats, meat products, meat by-products, and articles distributed by meat packinghouses* (except commodities in bulk), 1) from points in AZ, IA, KS, MO, MN, NE, ND, SD, TX, and WA to points in the U.S. (except AK and HI); 2) from Pueblo, CO, to points in the U.S. (except AK, CO, DE, HI, ID, NJ, NY, OR, PA, UT, and WA); 3) from Albuquerque and Clovis, NM, to points in the U.S. (except AK and HI); 4) from Geneseo, IL, to points in the U.S. (except AK and HI) for 180 days. Supporting shippers: There are 26 shippers. Their statements may be examined at the Regional office listed. An underlying ETA seeks 90 days authority.

MC 113678 (Sub-6-6TA), filed April 4, 1980. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, CO 80022. Representative: Roger M. Shaner (same as above). *Electrical and electronic appliances and equipment* (except commodities requiring special equipment) from Seattle, WA, to Los Angeles, CA; Phoenix, AZ; and Denver, CO; and from Los Angeles, Long Beach, and Cerritos, CA, to points in AZ, and their respective commercial zones of each point shown above for 180 days. Supporting shipper: Gold Star Electronics Int'l, Inc., 330 Madison Avenue, Suite 1400, New York, NY.

MC 107839 (Sub-6-3TA), filed April 4, 1980. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., 2121 East 67th Avenue, Denver, CO 80216. Representative: David E. Driggers of Jones, Meiklejohn, Kehl & Lyons, 1660 Lincoln Center Bldg., 1600 Lincoln Street, Denver, CO 80264. *Such merchandise as is dealt in by agricultural feed business houses* from Denver CO and points in its Commercial Zone to points in AZ and NM restricted to traffic originating at the facilities of Ralston Purina Company for 180 days.

An underlying ETA seeks 90 days authority. Supporting shipper: Ralston Purina Company, Checkerboard Square, St. Louis, MO 63188.

MC 115826 (Sub-6-7TA), filed April 7, 1980. Applicant: W. J. DIGBY, INC., 6015 East 58th Avenue, Commerce City, CO 80022. Representative: Howard Gore (same as applicant). *Prepared foodstuffs* from the facilities of The Pillsbury Co. at or near Denison, TX to points in AZ, CA, OR, WA and NV for 180 days. Supporting shipper: The Pillsbury Co., 608 Second Avenue, Minneapolis, MN 55402. An underlying ETA seeks 90 days authority.

MC 115826 (Sub-6-8TA), filed April 7, 1980. Applicant: W. J. DIGBY, INC., 6015 East 58th Avenue, Commerce City, CO 80022. Representative: Howard Gore (same as applicant). *Meat and meat products* from Oelwein, IA to points in CA, AZ and WA for 180 days. Supporting shipper: Cudahy Foods Co., Suite 1800, 100 West Clarendon, Phoenix, AZ 85103. Underlying ETA seeks 90 days authority.

MC 124679 (Sub-6-12TA), filed April 4, 1980. Applicant: C. R. ENGLAND AND SONS, INC., 975 West 2100 South, Salt Lake City, UT 84119. Representative: Michael L. Bunnell (same as applicant). *Foodstuffs and Pet Foods* from Salt Lake City, UT to points in CA, for 180 days. Supporting shipper: Aspen Distributing Corporation, 1765 South 4250 West, Salt Lake City, UT 84119.

Note.—Applicant holds motor contract carrier authority in number MC 128813 and sub numbers thereunder, therefore dual operations may be involved. An underlying ETA seeks 90 days authority.

MC 109689 (Sub-6-1TA), filed April 4, 1980. Applicant: W. S. HATCH CO., P.O. Box 1825 Salt Lake City, UT 84110. Representative: Mark K. Boyle, 10 West Broadway, #400, Salt Lake City, UT 84101. (1) Ammonium Thiosulfate, in bulk, (2) Sulphur, in bulk, from Table Rock, WY to points in CO, ID, MT and UT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Coastal States Energy Company, Nine Greenway Plaza, Houston, TX 77046.

MC 109689 (Sub-6-2TA), filed April 7, 1980. Applicant: W. S. HATCH CO., P.O. Box 1825, Salt Lake City, UT 84110. Representative: Mark K. Boyle, 10 West Broadway, #400, Salt Lake City, UT 84101. *Sodium hydrosulfide*, in bulk from Sahurita, AZ to Salt Lake County, UT, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Kennecott Copper Corporation, Kennecott Minerals Company, 1055 West North Temple, Salt Lake City, UT 84116.

MC 139906 (Sub-6-10TA), filed April 2, 1980. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, 2156 West 2200 South, P.O. Box 30303, Salt Lake City, Utah 84127. Representative: Richard A. Peterson, 521 South 14th Street, P.O. Box 81849, Lincoln, NE 68501. *Kitchen appliances and parts, materials and supplies used in the manufacture, sale (except in bulk) from the facilities of Thermidor-Waste King, Division of Norris Industries, at or near Los Angeles, CA to points in and east of the states of ND, SD, CO, NE, OK, and TX, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper: Thermidor-Waste King, Division of Norris Industries, 5119 District Boulevard, Los Angeles, CA 90040.*

MC 139906 (Sub-6-11TA), filed April 7, 1980. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, 2156 West 2200 South, Salt Lake City, Utah 84127. Representative: Mr. Richard A. Peterson, 521 South 14th Street, Lincoln, NE 68501. *Cloth, rubber foam and nylon foam back fabric (except in bulk) from the facilities of Shaumut Mills, A Division of R. H. Wyner Associates, at or near Stoughton, MA to Flint and Port Huron, MI, and points in their respective commercial zones for 180 days. An underlying ETA seeks 90 days authorization. Supporting shipper: Shaumut Mills, A Division of R. H. Wyner Associates, 208 Canton Street, Stoughton, MA 02072.*

MC 139906 (Sub-4-12TA), filed April 7, 1980. Applicant: INTERSTATE CONTRACT CARRIER CORPORATION, 2156 West 2200 South, Salt Lake City, Utah 84127. Representative: Mr. Richard A. Peterson, 521 South 14th Street, Lincoln, NE 68501. *Bakery Products from the facilities of Nabisco, Inc., at or near Richmond, VA to points in the states of MI, OK, and TX for 180 days. Applicant seeks underlying ETA for 90 days authority. Supporting shipper: Nabisco, Inc., 195 River Road, East Hanover, NJ 07936.*

MC 123377 (Sub-6-1TA), filed April 7, 1980. Applicant: JNJ TRUCKING, INC., 725 Union Avenue, P.O. Box 866, Grants Pass, Oregon 97526. Representative: Ron Hutchison (same as applicant). *Lumber, Lumber Products, Rough and Planed, Including Plywood and Pressboard, from points in Clackamas and Willamette Counties, OR, to points in Fresno, Kern, Kings and Tulare Counties, CA for 180 days. Supporting shipper: Kings River Wholesale Lumber, 1330 "G" Street, P.O. Box 935, Reedley, California 93654.*

MC 123377 (Sub-6-2TA), filed April 7, 1980. Applicant: JNJ TRUCKING, INC., 725 Union Avenue, P.O. Box 866, Grants Pass, Oregon 97526. Representative: Ron Hutchison (same as applicant). *Lumber, Rough and Planed, Including Plywood and Pressboard, from points in Douglas and Lane Counties, OR to points in CA for 180 days. Supporting shipper: Gabbert-Simmen Lumber Company, P.O. Box 20174, Sacramento, CA 95820.*

MC 123377 (Sub-6-3TA), filed April 7, 1980. Applicant: JNJ TRUCKING, INC., 725 Union Avenue, P.O. Box 866, Grants Pass, Oregon 97526. Representative: Ron Hutchison (same as applicant). *Wood Fiber Mulch, not in Bulk, from White City, Oregon to all points in WA, ID, MT, and WY, for the account of Spramulch Industries, Inc., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Spramulch Industries, Inc., 1225 Avenue "C", White City, Oregon 97501.*

MC 150503 (Sub-6-1TA), filed April 4, 1980. Applicant: LARRY A. MCKINNEY d.b.a. MCKINNEY BROS., P.O. Box 12187, Albuquerque, NM 87105. Representative: Larry A. McKinney, 3105 Barcelona Drive SW, Albuquerque, NM 87105. *Pumice, in bulk, in dump trailers or hopper trailers or belt trailers, from Rio Arriba and Santa Fe Counties, NM to Amarillo, TX, for 180 days. Supporting shipper: Crowe-Gulde Block Co. P.O. Box 9026 Amarillo, TX 79105.*

MC 142686 (Sub-6-5TA), filed April 7, 1980. Applicant: MID-WESTERN TRANSPORT, INC. 10506 S. Shoemaker Avenue, Santa Fe Springs, CA 90670. Representative: Joseph Fazio (same as applicant). *Contract Carrier, Irregular routes: General Commodities, between the facilities of Gulf & Western Manufacturing Company at points within the United States and points in the United States, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Gulf & Western Manufacturing Company, J. H. Moss, Corporate Traffic Manager, 26261 Evergreen Road, Southfield, Michigan, 48037.*

MC 150508 (Sub-6-1TA), filed April 7, 1980. Applicant: TONY TRUJILLO d.b.a. MOUNTAINVIEW TRUCKING COMPANY, 212 Ortega Road, N.W., Albuquerque, NM 87114. Representative: David C. Leathers, 1224 Clemente Pl., S.W., P.O. Box 26657, Albuquerque, NM 87125. (1) *Building material, including lumber, sheetrock, roofing material, plywood, tar, nails, siding, and trusses between points in NM on one hand, and on the other hand points in TX on and west of U.S. Hwy 35 starting at OK State line and ending in Laredo, TX for 180*

days. Supporting shipper(s): Sagebrush Sales Company, P.O. Box 25606, Albuquerque, NM 87125; Snow Mountain Lumber Company, P.O. Box 25485, Albuquerque, NM 87125.

MC 138626 (Sub-6-1TA), filed April 8, 1980. Applicant: LESLIE OAKLEY and BARRY D. OAKLEY a partnership d.b.a. OAKLEY BROTHERS TRUCKING, P.O. Box 338, Fairfield, Montana 59436. Representative: Dennis E. Lind, Suite A, Century Plaza, Missoula, Montana 59801. (1). *Plastic, aluminum, steel pipe and wheel line sprinklers, from Eugene, Portland, Clackamas, and McNary, OR; Tacoma, Seattle, Spokane, Sunnyside and Walla Walla, WA; and Boise, ID, to points in MT, WY, ND, and SD, and ports of entry on the International Boundary Line between U.S. and Canada located in MT, for 180 days. Supporting shippers: Beall Pipe Inc., P.O. Box 03310, Portland, OR 97203; Alumax Irrigation Products, T.A. Box 3107, Spokane, WA 99220; Wade Mfg. Co., 9995 S.W. Avery Rd., Tualatin, OR 97062.*

MC 150498 (Sub-6-1), filed April 4, 1980. Applicant: PACIFIC INLAND TRANSPORT INC., 3049 Oakraider Drive, Alamo, California 94507. Representative: William L. Burch, (same as applicant). *Contract Carrier, Irregular routes: Miscellaneous parts and supplies used in repair, maintenance refurbishing and construction of railroad cars, between points in WA, OR, CA, AZ, NM, and TX, for the account of Trailer Train Co., for 180 days. Supporting shipper: Trailer Train Co., 300 S. Wacker Dr., Chicago, IL.*

MC 127539 (Sub-6-1TA), filed April 7, 1980. Applicant: PARKER REFRIGERATED SERVICE, INC., 1108 54th Avenue East, Tacoma, WA 98424. Representative: Michael D. Duppenhaler, 211 South Washington Street, Seattle, WA 98104. *Transporting: Prepared meals, unfrozen, in returnable pouches, from Tacoma, WA to McAllen, TX, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Fresh Flavor Meals, P.O. Box 182, Tacoma, WA 98401.*

MC 150500 (Sub-6-1TA), filed March 28, 1980. Applicant: VINCE PROCOPIO, d.b.a. PROCOPIO & SONS, Post Office Box 251, Newcastle, CA 95658. Representative: Donald R. Hedrick, Post Office Box 88, Norwalk, CA 90650. *Contract Carrier, Irregular routes: Used motor homes, motorized campers, camper vans, truck tractors and trucks, secondary movements in truckaway or driveway service, from Santa Fe Springs, CA and its commercial zone to points in AZ and NE, for 180 days. Supporting shipper: Jim Taylor, Owner,*

Jim Taylors Auto-Body, 8068 S. Westman, Santa Fe Springs, CA 90606.

MC 85255 (Sub-6-1TA), filed April 4, 1980. Applicant: PUGET SOUND TRUCK LINES, INC., P.O. Box 24526, Seattle, WA 98124. Representative: James F. Walker, 3720 Airport Way S., Seattle, WA 98134. *General commodities* (except Classes A and B explosives) between Seattle, Tacoma, Olympia, Hoquiam, Markham and Longview, WA for 180 days. Restricted to the transportation of traffic having prior or subsequent movement by water. Supporting shippers: AMPAC, 3400 13th Ave. S.W., Seattle, WA 98134; Olympia Brewing Company, P.O. Box 947, Olympia, WA 98507; Grove Harbor Paper Co., P.O. Box 60, Hoquiam, WA 98550.

MC 147225 (Sub-6-1TA), filed April 8, 1980. Applicant: BOBBY RAYMOND TRUCKING, INC., P.O. Box 6248, Phoenix, AZ 85005. Representative: Timothy R. Stivers, P.O. Box 162, Boise, ID 83701. *Such commodities as are dealt in or used by manufacturers and converters of paper and paper products (except commodities in bulk)*, from the facilities of Nekoosa Papers Inc., in Portage and Wood Counties, WI to points in NM, for 180 days. An underlying ETA seeks 90 days operating authority. Supporting shipper: Nekoosa Papers, Inc., 100 Wisconsin River Drive, Port Edwards, WI 54469.

MC 124692 (Sub-6-4TA), filed April 4, 1980. Applicant: SAMMONS TRUCKING, P.O. Box 4347, Missoula, MT 59806. Representative: William J. Gambucci, Suite M-20, 400 Marquette Avenue, Minneapolis, MN 55402. *Lumber, wood products, posts and poles*, from the Willmar, MN commercial zone to points in IA, NE, ND, SD, MT, WI, and IL, for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: Timber Wholesalers, Rural Route 1, Box 80, Willmar, Mn 56201; Great West Timber, Ltd., Box 3170, Thunder Bay, Ontario, Canada.

MC 124160 (Sub-6-3TA), filed April 4, 1980. Applicant: SAVAGE BROTHERS, INCORPORATED, 585 South 500 East, American Fork, UT 84003. Representative: Lon Rodney Kump, 333 East Fourth South, Salt Lake City, UT 84111. *Cement, in bulk*, from points in UT to points in CO west of the Continental Divide, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: National Cementers Corporation, 2386 Highway 60 and 50W, Grand Junction, CO 81501.

MC 142941 (Sub-6-3TA), filed April 7, 1980. Applicant: SCARBOROUGH TRUCK LINES, INC., P.O. Box 6716, Phoenix, AZ 85005. Representative:

Doug W. Sinclair (same as applicant). *Foodstuffs* in vehicles equipped with mechanical refrigeration (except commodities in bulk), from Louisville, KY, and its commercial zone to points in the United States (except AK and HI) for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Louisville Freezer Center, Div. of OmniWay Service Company, 2000 South Ninth Street, Louisville, KY, 40208.

MC 113658 (Sub-6-1TA), filed April 7, 1980. Applicant: SCOTT TRUCK LINE, INC., 5280 Newport Street, Commerce City, CO 80216. Representative: James L. Pichford P.O. Box 16346, Denver, CO 80216. *Meats, meat products and meat by-products, and articles distributed by meat packinghouses* as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), From the facilities of Dubuque Packing Company, Mankato, KS to points in IA, WI, IL, KY, MI, OH, PA, MD, NJ, NY, MA, CT and RI, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Dubuque Packing Company 16th Sycamore Street, Dubuque, IA 52001.

MC 138875 (Sub-6-8TA), filed April 8, 1980. Applicant: SHOEMAKER TRUCKING COMPANY, An Idaho Corporation, 11900 Franklin Road, Boise, ID 83709. Representative: F. L. Sigloh (same address as applicant). (1) *Chemicals*; (2) *dies*; (3) *fire retardants*; and (4) *materials and supplies used in the manufacture and distribution of (1), (2) and (3) above (except commodities in bulk)*, from points in Karnes and Wilbarger Counties, TX to the facilities of Monsanto Company at Ontario, CA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): G. W. Kasten, Transportation Manager, Industrial Chemicals, Monsanto Company, 800 N. Lindbergh Blvd., St. Louis, MO 63166.

MC 112014 (Sub-6-1TA), filed April 8, 1980. Applicant: SKAGIT VALLEY TRUCKING CO., INC., P.O. Box 400, Mt. Vernon, WA 98273. Representative: Michael D. Duppenthaler, 211 South Washington Street, Seattle, WA 98104. *Foodstuffs and materials, equipment and supplies used in the manufacture, distribution and sales of foodstuffs (except in bulk)*, between points in CA, OR and WA, restricted to traffic moving from, to or between the facilities of Ocean Spray Cranberries, Inc., and Diamond/Sunsweet, Inc. or the facilities of manufacturing contractors used by Ocean Spray Cranberries, Inc. and Diamond/Sunsweet, Inc., for 180 days. An underlying ETA seeks 90 days

authority. Supporting shipper: Ocean Spray Cranberries, Inc., Star Route, Box 195, Aberdeen, WA 98520.

MC 150504 (Sub-6-1TA), filed April 4, 1980. Applicant: BILL STEINFELD, 3340 N.W. St. Helens Road, Portland, OR 97202. Representative: Bill Steinfeld (same as applicant). *Contract Carrier: irregular routes: (1) Such commodities as may be dealt in or utilized in the manufacture of mobile homes and travel trailers; (2) completed chassis* between facilities of Zieman Mfg. Co., in OR, WA, CA and AZ, for the account of Zieman Manufacturing Co., for 180 days. Supporting shipper: Eric Day, Division Manager, Zieman Manufacturing Co., P.O. Box 662, McMinnville, OR 97128.

MC 150472 (Sub-6-1TA), filed April 4, 1980. Applicant: STRAINS TRANSPORTATION COMPANY, P.O. Box 800, Renton, WA 98055. Representative: Michael A. Jonson, Jonson, Jonson & Hamack, P.S., 300 Central Building, Seattle, WA 98104. *Contract carrier, irregular routes: Compressed gases and cryogenic liquids, in cylinders and in bulk, and accessorial equipment, including high pressure gases and/or liquid cryogenic vessels used in the manufacture, sale and distribution of compressed gases, including return with empty cylinders and accessorial products*, between ports of entry on the international boundary between the U.S. and Canada located at or near Blaine, Lynden and Sumas, WA, and the points of Tacoma and Renton, WA, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: Air Products and Chemicals, Inc., 2021 East Rosecrans Boulevard, El Segundo, CA 90245.

MC 136818 (Sub-6-4TA), filed April 7, 1980. Applicant: SWIFT TRANSPORTATION COMPANY, INC., 335 West Elwood Road, P.O. Box 3902, Phoenix, AZ 85030. Representative: Donald E. Fernaays, 4040 East McDowell Road, Suite 320, Phoenix, AZ 85008. *Asbestos cement pipe, couplings, fittings and accessories used in the installation thereof*, from the plantsite of CertainTeed Corporation at Hillsboro, TX to points in AZ, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: CertainTeed Corporation, 1400 Union Meeting Road, Blue Bell, PA 19422.

MC 150346 (Sub-6-2TA), filed April 2, 1980. Applicant: TRANS-CAL TOURS, INC., 70 Dorman Avenue, #7A, San Francisco, CA 94124. Representative: Michael J. Stecher, Silver, Rosen, Fischer & Stecher, 256 Montgomery Street, San Francisco, CA 94104. *Passengers and their baggage in the same vehicle with passengers*, in special and charter

operations, beginning and ending at points in San Francisco and Alameda Counties, CA and extending to points in NV, for 180 days. An underlying ETA seeks 90 days authority. There are 11 supporting shippers. Their statements may be examined at the Regional office listed.

MC 120098 (Sub-6-1TA), filed April 7, 1980. Applicant: UINTAH FREIGHTWAYS, 1030 South Redwood Road, Salt Lake City, Utah 84104. Representative: William S. Richards, P.O. Box 2465, Salt Lake City, Utah 84110. *General commodities*, (except those of unusual value, household goods as defined by the Commission, classes A and B explosives, commodities in bulk, and those requiring the use of special equipment), *common carrier*, regular route, from Grand Junction, CO to Denver, CO, over U.S. Hwys 6 and 24 (I-70) to junction I-70 and U.S. 40; thence over U.S. Hwy 40 (I-70) to Denver, CO and return over the same route, serving no intermediate points, for 180 days. There are five shippers. Their statements may be examined at the Regional Office listed.

MC 138439 (Sub-6-1TA), filed April 4, 1980. Applicant: V & J REFRIGERATED SERVICE, INC., 2205 Pacific Highway East, Tacoma, WA 98422. Representative: Michael D. Duppenhaler, 211 South Washington Street, Seattle, WA 98104. *Contract carrier*; irregular routes: *Dairy products and equipment, materials and supplies used in the production and distribution of dairy products*, between points in CA, OR and WA., for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Consolidated Dairy Products Co., 635 Elliot Ave. W., Seattle, WA.

MC 141804 (Sub-6-25TA), filed April 4, 1980. Applicant: WESTERN EXPRESS, division of Interstate Rental, Inc., 4015 Guasti Road, P.O. Box 3488, Ontario, CA 91761. Representative: Frederick J. Coffman (same as applicant). *General Commodities*, (except those of unusual value, household goods as described by the Commission, commodities in bulk, frozen foods, and those requiring special equipment), from the Port of Tacoma, Pierce County, WA and from the Port of Seattle, King County, WA to points in CN, IA, IL, IN, KS, ME, MI, MN, MO, NJ, NY, OH and TN, for 180 days. Supporting shipper: Gene C. Cameron, Vice President, George S. Bush & Co., Inc., 259 Coleman Building, Seattle, WA 98104.

MC 141804 (Sub-6-26TA), filed April 4, 1980. Applicant: WESTERN EXPRESS, division of Interstate Rental, Inc., 4015 Guasti Road, P.O. Box 3488,

Ontario, CA 91761. Applicant's representative: Frederick J. Coffman (same as applicant). *Furniture* from Maryville, TN to points in CO, TX, FL, MD, PA, MA and IL (except Chicago and its commercial zone), for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper: George L. Mitchell, Vice President, Klote International, P.O. Box 1258, Maryville, TN 37801.

MC 141804 (Sub-6-27TA), filed April 7, 1980. Applicant: WESTERN EXPRESS, division of Interstate Rental, Inc., 4015 Guasti Road, P.O. Box 3488, Ontario, CA 91761. Applicant's representative: Frederick J. Coffman (same as applicant). *Cleaning and polishing compounds, textile softening compounds, lubricants, hypochlorite solution, deodorants, disinfectants, paints, stains, varnish, plastic bags, filters, dishwashing machines and materials, equipment and supplies used in the production of the above items (except commodities in bulk)*, between points in the U.S. (except AK & HI). Restricted to traffic originating at or destined to the facilities of Economics Laboratory, Inc., for 180 days.

Supporting shipper: Anita Scheunemann, Supervisor Rates & Claims, Economics Laboratory, Inc., Osborn Building, St. Paul, MN 55102.

MC 63562 (Sub-VI-4TA), filed March, 1980. Applicant: BN TRANSPORT INC., 6775 East Evans Avenue, P.O. Box 22694, Denver, CO 80222. Applicant's representative: Cecil L. Goettsch, 1100 Des Moines Building, Des Moines, IA 50307. *Feeder mixers and fertilizer applying equipment, and materials and parts used in the manufacturing and distribution thereof*, from Lenox, IA to points in NE, MN, ND, SD, MO, MT, IL, KS, WY and WI for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper: Tote Company, Dallas & Walnut Street, Lenox, IA 50851.

MC 147094 (Sub-6-1TA), filed March 17, 1980. Applicant: DON BYBEE & SONS TRUCKING, INC., 145 East Main St., Hyrum, UT, 84319. Applicant's representative: Donald Dybee (same as applicant). *Beer, beer packaging materials, and other related products dealing with the distribution of beer, including empty beer kegs and bottles returned (1) from the facilities of Anheuser-Busch, Inc. at Fairfield and Van Nuys, CA, Joseph Schlitz Brewery at Van Nuys, CA, Miller Brewery Co., at Irwindale, CA, Lucky Brewery at Vancouver, WA, and Pabst Brewery at Portland, OR, to facilities of Marty Distributing at Logan and Ogden, UT, and Gateway Distributing at Ogden, Logan, and Salt Lake City, UT, for 180*

days. An underlying ETA seeks 90 days authority. Supporting shippers: Marty's Distributing Co., Inc., 345 Southwest Street, Logan, UT 84321. Gateway Distributing Inc., 120-26th St., Ogden, UT 84401.

MC 141804 (Sub-6-17TA), filed March 19, 1980. Applicant: WESTERN EXPRESS, division of Interstate Rental, Inc., 4015 Guasti Road, P.O. Box 3488, Ontario, CA 91761. Applicant's representative: Frederick J. Coffman (same as applicant). *General Commodities*, (except foodstuffs requiring refrigeration; meats, meat products and meat by-products, dairy products and articles distributed by meat packing houses, as described in Section A, B, & C of Appendix I to the report in Motor Carrier, 61 M.C.C. 209 and 766; articles of unusual value, Classes A & B explosives; household goods as defined by the Commission, commodities in bulk; and those requiring special equipment) from King county, WN to points in CO, NE, KS, MI, IA, MO, AR, LA, MS, GA, TN, KY, IL, WI, MN, IN, OH, PA, NY, NJ and MA. Restricted to traffic having a prior movement by water, for 180 days. An underlying ETA seeks 90 days authority. Supporting shippers: H. E. Franklin, Executive Vice-President, Puget Sound Traffic Association, Suite 220/221, Sea-Tac International Airport, P.O. Box 68927 Seattle, WA 98188; H. L. Norton, Jr. President, Norvanco, Inc., Pier 56, Seattle, WA 98101; Robert A. Leslie, Operations Manager, Arthur J. Fritz & Company, P.O. Box 21786, Seattle, WA 98111; Gary A. Twite, Branch Manager, J. T. Stee & Co., Inc., 318 Norton Bldg., Seattle, WA 98104.

By the Commission
Agatha L. Mergenovich,
Secretary.

[FR Doc. 80-12127 Filed 4-18-80; 8:45 am]

BILLING CODE 7035-01-M

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Designation of Special Coordinator for International Disaster Assistance

By virtue of authority vested in me by Section 493 of the Foreign Assistance Act of 1961, as amended, and Executive Order No. 12163 of September 29, 1979, I hereby designate the Administrator of the Agency for International Development as the Special Coordinator for International Disaster Assistance.

Dated: April 1, 1980.

[FR Doc. 80-12038 Filed 4-18-80; 8:45 am]

BILLING CODE 4710-02-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 80-31]

NASA Advisory Council; Meeting

The NASA Advisory Council (NAC) will meet on May 6 and 7, 1980, in room 7002, Federal Building 6, 400 Maryland Avenue SW, Washington, DC 20546. The meeting will be open to the public up to the seating capacity of the room (approximately 60 persons, including Council members and other participants). Visitors will be requested to sign a visitor's register.

The NASA Advisory Council was established as an interdisciplinary group to advise NASA senior management on NASA's aeronautics and space programs. The Council is concerned with providing advice in the substantive areas of aeronautics, life sciences, space and terrestrial applications, space science, space systems and technology, and history as they relate to aeronautics and space programs. The Council is chaired by Dr. William A. Nierenberg and is composed of a total of twenty-one members. Standing committees containing additional members report to the Council.

The following list sets forth the approved topics for the meeting. For further information, contact the Assistant Executive Secretary, Mr. Carl R. Praktish, Area Code 202 755-8380, NASA Headquarters, Washington, DC 20546.

Agenda

Tuesday, May 6

- 9:00 a.m.—Introduction.
- 9:15 a.m.—Update on NASA Programs.
- 10:30 a.m.—Committee Reports.
- 2:00 p.m.—Discussion of Committee Business.
- 4:30 p.m.—Adjourn.

Wednesday, May 7

- 9:00 a.m.—Innovative Ideas: Their Generation and Their Handling Within NASA.
- 1:00 p.m.—Discussion.
- 3:00 p.m.—Adjourn.

Dated: April 15, 1980.

Russell Ritchie,

Deputy Associate Administrator for External Relations.

[FR Doc. 80-12023 Filed 4-18-80; 8:45 am]

BILLING CODE 7510-01-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Council on the Humanities Advisory Committee; Notice of Meeting

April 15, 1980.

Pursuant to the provisions of the

Federal Advisory Committee Act (Pub. L. 92-463) notice is hereby given that a meeting of the National Council on the Humanities will be conducted at Washington, D.C. on May 8-9, 1980.

The purpose of the meeting is to advise the Chairman of the National Endowment for the Humanities with respect to policies, programs, and procedures for carrying out his functions, and to review applications for financial support and gifts offered to the Endowment and to make recommendations thereon to the Chairman.

The meeting will be held in the Shoreham Building, 806 15th Street, N.W., Washington, D.C. Because the morning and afternoon sessions of the proposed meeting on May 8, 1980 and the afternoon session on May 9, 1980 will consider information that is likely to disclose,

(1) trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(2) information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy; and

(3) information the disclosure of which would significantly frustrate implementation of proposed agency action;

pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated January 15, 1978, I have determined that these portions of this meeting will be closed to the public pursuant to subsections (c)(4), (6) and (9)(B) of section 552b of Title 5, United States Code.

The evening session on May 8, 1980 listed below will be open to the public:

5:00-5:45 p.m.—Briefing on the Endowment's Automatic Data Processing System, Room 1001.

The morning session on May 9, 1980 will convene at 8:30 a.m. in the 1st Floor Conference Room and will be open to the public. The agenda for the morning session will be as follows:

Minutes of the Previous Meeting Reports

- A. Introductory Remarks
- B. Program Review and Introduction of New Staff
- C. Chairman's Grants & Grants Departing from Council Recommendation
- D. Application Report
- E. Gifts and Matching Report
- F. FY 1981 Appropriations
- G. FY 1982 Planning Process

H. Reauthorization

I. Selected Project Evaluations

The remainder of the proposed meeting will be closed to the public.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer, Mr. Stephen J. McCleary, 806 15th Street, N.W., Washington, D.C. 20506, or call area code 202-724-0367.

Stephen J. McCleary,

Advisory Committee Management Officer.

[FR Doc. 80-12132 Filed 4-18-80; 8:45 am]

BILLING CODE 7536-01-M

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards, Subcommittee on Metal Components; Change of Location

The April 24-25, 1980 meeting of the ACRS Subcommittee on Metal Components, announced in the *Federal Register* on April 9, 1980 (45 FR 24292) has been rescheduled to be held on one day only, April 24, at the American Museum of Science and Energy, 300 South Tulane, Oak Ridge, TN 37830 (not at the Oak Ridge National Laboratory [ORNL] as previously scheduled).

All other matters regarding this meeting remain the same as stated in the *Federal Register* notice cited above.

Dated: April 16, 1980.

John C. Hoyle,

Advisory Committee, Management Officer.

[FR Doc. 80-12093 Filed 4-18-80; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards Subcommittee on the Sequoyah Nuclear Plant Units 1 and 2; Meeting Postponed

The April 28, 1980 meeting of the ACRS Subcommittee on the Sequoyah Nuclear Plant, Units 1 and 2, announced in the *Federal Register* April 11, 1980 (45 FR 24951) has been postponed indefinitely.

Dated: April 16, 1980.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 80-12092 Filed 4-18-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-302]

Florida Power Corp.; Confirmatory Order**Confirmatory Order****I**

In the Matter of Florida Power Corporation (Crystal River Unit No. 3 Nuclear Generating Plant); Docket No. 50-302.

The Florida Power Corporation (the Licensee) is the holder of Facility Operating License No. DPR-72 which authorizes the Licensee to operate the Crystal River Unit No. 3 Nuclear Generating Plant (the facility) at power levels not in excess of 2,452 megawatts thermal. The facility is a pressurized water reactor located at the licensee's site in Citrus County, Florida.

II

Following the incident of February 26, 1980, at the Crystal River facility, the NRC staff held meetings with the Licensee, other operating licensees with Babcock and Wilcox (B&W) reactor systems, and B&W. The meetings were held in Bethesda, Maryland on March 4, 17 and 18, 1980. These meetings resulted in the development of three licensee commitments.

1. Actions which will allow the operator to cope with various combinations of loss of instrumentation and control functions. This includes changes in (A) equipment and control systems to give clear indications of functions which are lost or unreliable; (B) procedures and training to assure positive and safe manual response by the operator in the event that competent instruments are unavailable.

2. Determination of the effects of various combinations of loss of instrumentation and control functions by design review analysis and verification by test.

3. Correction of electrical deficiencies which may allow the power operated relief valve and pressurizer spray valve to open on non-nuclear instrumentation power failures, such as, the event which occurred at Crystal River, Unit 3 on February 26, 1980.

The Licensee confirmed by letter dated March 24, 1980, that it would implement all three actions at its facility prior to the restart of Crystal River Unit No. 3 which is currently shutdown for maintenance and refueling. The March 24 letter included by reference the licensee's submittal of March 12, 1980; the March 12 letter provided the detailed listing of various combinations of loss of instrumentation which constitutes the commitment in Item 1 and the letter also provided the specific list of tests which constitutes the commitment in Item 2. I have concluded that timely implementation of these three short term actions, at operating B&W system

nuclear power plants is necessary to provide continued assurance of public health and safety.

III

The Office of Inspection and Enforcement (IE) issued Bulletin 79-27 following an event at the Oconee Nuclear Station, Unit No. 3, on November 10, 1979 which was similar to the Crystal River incident. This event was described in Information Notice 79-29, dated November 16, 1979, which was sent to this Licensee. This Licensee was requested by IE Bulletin 79-27, dated November 30, 1979, Loss of Non Class I—E Instrumentation and Control Power Bus During Operation, to review, among other things, busses supplying power to certain instrument and control systems, emergency procedures related to loss of power to such busses and failure to certain power supplies. In accordance with Bulletin 79-27 the Licensee was requested to submit to the Commission the results of its February 28, 1980. This Licensee has not met this date.

The responses to IE Bulletin 79-27 must be submitted in order that NRC can determine whether this license should be modified to protect the health and safety of the public. The Licensee's letter of March 26, 1980 committed to respond to the Bulletin by April 26, 1980.

IV

In view of the importance of this matter I have determined that these commitments be formalized by order and that the public health, safety and interest require that this Order be made immediately effective. Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Parts 2 and 50, it is hereby ordered, effective immediately, that:

(1) The Licensee prior to restart after the current outage will implement all three actions provided in Part II of this Order.

(2) The Licensee shall submit by April 26, 1980 the written responses to IE Bulletin 79-27 to the NRC.

V

Any person who has an interest affected by this Order may request a hearing within twenty-five days of the date of the Order. Any request for a hearing will not stay the effectiveness of this Order. Any request for a hearing shall be submitted to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, with a copy to the Executive Legal Director at the above address. If a hearing is requested by a person who has an interest affected by this Order, the Commission will issue

an Order designating the time and place of any such hearing.

In the event any person who has an interest affected by this Order requests a hearing as provided above and a hearing is held, the issues to be considered at such a hearing shall be:

(1) Whether the facts set forth in Parts II and III of this Order provide an adequate basis for the actions ordered, and

(2) Whether the Licensee should perform the actions required by Part IV of this Order in accordance with the schedule stated therein.

Operation of the facility on terms consistent with this Order is not stayed by the pendency of any proceedings on the Order.

Dated at Bethesda, Maryland this 14th day of April 1980.

For the Nuclear Regulatory Commission,

Harold R. Denton,

Director, Office of Nuclear Reactor Regulation.

[FR Doc. 80-12095 Filed 4-18-80; 8:45 am]

BILLING CODE 7590-01-M

[Dockets Nos. 50-514 and 50-515]

Portland General Electric Co., et al.; Availability of Final Statement Supplement No. 1 to the Final Environmental for the Pebble Springs Nuclear Plant, Units 1 and 2

Pursuant to the National Environmental Policy Act of 1969 and the United States Nuclear Regulatory Commission's regulations in 10 CFR Part 51, notice is hereby given that Final Supplement No. 1 to the Final Environmental Statement prepared by the Commission's Office of Nuclear Reactor Regulation, related to the Pebble Springs Nuclear Plant, Units 1 and 2, which is being proposed by the Portland General Electric Company, et al., for construction in Gilliam County, Oregon, is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, NW, Washington, DC, and in the City Hall, Records Office, Arlington, Oregon. Supplement is also being made available at the Intergovernmental Relations Division, Executive Department, 306 State Library Building, Salem, Oregon, and at the East Central Oregon Association of Counties, 920 S.W. Frazier, Pendleton, Oregon.

The notice of availability of the Draft Supplement to the Final Environmental Statement for the Pebble Springs Nuclear Plant, Units 1 and 2 and request for comments from interested persons was published in the Federal Register on November 30, 1979 (44 FR 69062). The comments received from Federal, State,

and local agencies and interested members of the public have been included as Appendix E to the Final Supplement.

Copies of Final Supplement No. 1 to NUREG-75/025 may be purchased at current rates, from the National Technical Information Service, Springfield, Virginia 22161, (703) 557-4650.

Final unclassified NUREG-series documents are also available directly from NRC to those with deposit accounts with the Superintendent of Documents, U.S. Government Printing Office (see 44 FR 46005, August 6, 1979). To place orders call (301) 492-7333 or write: ATTN: Publications Sales Manager, Division of Technical Information and Document Control, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555.

Dated at Bethesda, Maryland, this 9th day of April 1980.

For the Nuclear Regulatory Commission.
Ronald L. Ballard,
*Chief, Environmental Projects Branch 1,
Division of Site Safety and Environmental
Analysis.*

[FR Doc. 80-12094 Filed 4-18-80; 8:45 am]
BILLING CODE 7590-01-M

[Docket No. 50-312]

Sacramento Municipal Utility District Confirmatory Order

I

In the Matter of Sacramento Municipal Utility District (Rancho Seco Nuclear Generating Station); Docket No. 50-312.

The Sacramento Municipal Utility District (the Licensee) is the holder of Facility Operating License No. DPR-54 which authorizes the Licensee to operate the Rancho Seco Nuclear Generating Station (the facility) at power levels not in excess of 2,772 megawatts thermal. The facility is a pressurized water reactor located at the Licensee's site in Sacramento County, California.

II

Following the incident of February 26, 1980, at the Crystal River facility, the NRC staff held meetings with the Licensee, other operating licensees with Babcock and Wilcox (B&W) reactor systems, and B&W. The meetings were held in Bethesda, Maryland on March 4, 17 and 18, 1980. These meetings resulted in the development of three licensee commitments.

1. Actions which will allow the operator to cope with various combinations of loss of

instrumentation and control functions. This includes changes in (A) equipment and control systems to give clear indications of functions which are lost or unreliable; (B) procedures and training to assure positive and safe manual response by the operator in the event that competent instruments are unavailable.

2. Determination of the effects of various combinations of loss of instrumentation and control functions by design review analysis and verification by test.

3. Correction of electrical deficiencies which may allow the power operated relief valve and pressurizer spray valve to open on non-nuclear instrumentation power failures, such as, the event which occurred at Crystal River, Unit 3 on February 26, 1980.

The Licensee confirmed by letter dated March 21, 1980, that it would implement all three actions at its facility prior to the restart of Rancho Seco which is currently shutdown for maintenance and refueling. The March 21 letter included by reference the licensee's submittal of March 12, 1980; the March 12 letter provided the detailed listing of various combinations of loss of instrumentation which constitutes the commitment in Item 1 and the letter also provided the specific list of tests which constitutes the commitment in Item 2. I have concluded that timely implementation of these three short term actions, at operating B&W system nuclear power plants is necessary to provide continued assurance of public health and safety.

III

In view of the importance of this matter I have determined that these commitments be formalized by order and that the public health, safety and interest require that this Order be made immediately effective. Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Parts 2 and 50, it is hereby ordered, effective immediately, that: The Licensee prior to restart after the current outage will implement all three actions provided in Part II of this Order.

IV

Any person who has an interest affected by this Order may request a hearing within twenty-five days of the date of the Order. Any request for a hearing will not stay the effectiveness of this Order. Any request for a hearing shall be submitted to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, with a copy to the Executive Legal Director at the above address. If a hearing is requested by a person who has an interest affected by this Order, the Commission will issue

an Order designating the time and place of any such hearing.

In the event any person who has an interest affected by this Order requests a hearing as provided above and a hearing is held, the issues to be considered at such a hearing shall be:

(1) Whether the facts set forth in Part II of this Order provide an adequate basis for the actions ordered, and

(2) Whether the Licensee should perform the actions required by Part III of this Order in accordance with the schedule stated therein.

Operation of the facility on terms consistent with this Order is not stayed by the pendency of any proceedings on the Order.

Dated at Bethesda, Maryland this 14th day of April 1980.

For the Nuclear Regulatory Commission.

Harold R. Denton,
*Director, Office of Nuclear Reactor
Regulation.*

[FR Doc. 80-12096 Filed 4-18-80; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF MANAGEMENT AND BUDGET

Agency Forms Under Review

Background

April 16, 1980.

When executive departments and agencies propose public use forms, reporting, or recordkeeping requirements, the Office of Management and Budget (OMB) reviews and acts on those requirements under the Federal Reports Act (44 USC, Chapter 35). Departments and agencies use a number of techniques including public hearings to consult with the public on significant reporting requirements before seeking OMB approval. OMB in carrying out its responsibility under the Act also considers comments on the forms and recordkeeping requirements that will affect the public.

List of Forms Under Review

Every Monday and Thursday OMB publishes a list of the agency forms received for review since the last list was published. The list has all the entries for one agency together and grouped into new forms, revisions, extensions, or reinstatements. Some forms listed as revisions may only have a change in the number of respondents or a reestimate of the time needed to fill them out rather than any change to the content of the form. The agency clearance officer can tell you the nature of any particular revision you are

interested in. Each entry contains the following information:

The name and telephone number of the agency clearance officer (from whom a copy of the form and supporting documents is available):

The office of the agency issuing this form;

The title of the form;

The agency form number, if applicable;

How often the form must be filled out; Who will be required or asked to report;

An estimate of the number of forms that will be filled out;

An estimate of the total number of hours needed to fill out the form; and

The name and telephone number of the person or office responsible for OMB review.

Reporting or recordkeeping requirements that appear to raise no significant issues are approved promptly. Our usual practice is not to take any action on proposed reporting requirements until at least ten working days after notice in the *Federal Register* but occasionally the public interest requires more rapid action.

Comments and Questions

Copies of the proposed forms and supporting documents may be obtained from the agency clearance officer whose name and telephone number appear under the agency name. The agency clearance officer will send you a copy of the proposed form, the request for clearance (SF83), supporting statement, instructions, transmittal letters, and other documents that are submitted to OMB for review. If you experience difficulty in obtaining the information you need in reasonable time, please advise the OMB reviewer to whom the report is assigned. Comments and questions about the items on this list should be directed to the OMB reviewer or office listed at the end of each entry.

If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments promptly, you should advise the reviewer of your intent as early as possible.

The timing and format of this notice have been changed to make the publication of the notice predictable and to give a clearer explanation of this process to the public. If you have comments and suggestions for further improvements to this notice, please send them to Jim J. Tozzi, Assistant Director for Regulatory and Information Policy, Office of Management and Budget, 726 Jackson Place, Northwest, Washington, D.C. 20503.

DEPARTMENT OF AGRICULTURE

Agency Clearance Officer—Richard J. Schrimper, 447-6201

New Forms

Economics, Statistics, and Cooperatives Service

Aquaculture Survey

Annually

Aquatic Producers, 5,250 responses;

1,022 hours

Office of Federal Statistical Policy & Standard, 673-7974

Economics, Statistics, and Cooperatives Service

Investor Survey

Single time

Farmland operators, 300 responses; 249 hours

Office of Federal Statistical Policy & Standard, 673-7974

Economics, Statistics, and Cooperatives Service

Oat Variety Survey

Single time

Farmers, 1,100 responses; 183 hours

Office of Federal Statistical Policy & Standard, 673-7974

Revisions

Agricultural Stabilization and Conservation Service

Honey Storage agreement

CCC-56, CCC-56-1, CCC-56-2

On occasion

Honey warehousemen, 10 responses; 0 hours

Charles A. Ellett, 395-5080

Economics, Statistics, and Cooperatives Service

Cost of Production Survey

Annually

Sugar beet growers, 980 responses; 980 hours

Office of Federal Statistical Policy & Standard, 673-7974

Federal Crop Insurance Corporation

Crop Insurance Acreage Report

FCI-19, 819 Raisin

Annually

Farmers, 304,488 responses; 152,244 hours

Charles A. Ellett, 395-5080

Extensions

Agricultural Stabilization and Conservation Service Application for Payment of Amounts Due Persons who Have Died, Disappeared or Been Declared Incompetent—Farm Programs

ASCS-325

On occasion

Farmers/ranchers, 3,000 responses; 1,500 hours

Charles A. Ellett, 395-5080

Federal Crop Insurance Corporation

Claim for Raisin Indemnity (adjustment of losses)

FCI-63

On occasion

Farmers, 100 responses; 50 hours

Charles A. Ellett, 395-5080

DEPARTMENT OF COMMERCE

Agency Clearance Officer—Edward Michals, 377-3627

Revisions

Maritime Administration

Application for Operating-Differential Subsidy

MA-632

On occasion

Shipping companies, 10 responses; 400 hours

William T. Adams, 395-4814

DEPARTMENT OF ENERGY

Agency Clearance Officer—John Gross, 633-9770

New Forms

Technical Assistance and Energy Conservation

CS-438,

Semi-annually

Schools, hospitals, units of local govt & public, 30,000 responses; 120,000 hours

Jefferson B. Hill, 395-5867

Revisions

Crude Oil Allocation Program Report

ERA-59

Monthly

Petroleum refiners, 2,160 responses; 6,480 hours

Jefferson B. Hill, 395-5867

Reinstatements

Alternative Fuel Demand Due to Natural Gas

EIA-50

Annually

Natural gas pipelines and distributors, 1,471 responses; 51,485 hours

Jefferson B. Hill, 395-5867

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Agency Clearance Officer, Joseph J. Strnad, 245-6511

New Forms

Office of Education

Physician's Certification of Borrower's Total and Permanent Disability

OE-777

On occasion

Disabled student; physician, 13,000 responses; 2,167 hours

Laverne V. Collins, 395-3214

Office of Human Development

Study of the Validity and Use of the Data in the Social Services Reporting Requirements Report

Single time
State and local social service
employees, 240 responses; 180 hours
Barbara F. Young, 395-6132
Public Health Service
Survey Instrument for Health Planning
Performance Evaluation Program

Single time
Health systems agencies staff, 40
responses; 120 hours
Richard Eisinger, 395-3214

Revisions

Food and Drug Administration
Computed Tomography use and Quality
Assurance Survey

Single time
Medical facility with computed
tomography equipment, 12,750
responses; 6,310 hours
Richard Eisinger, 395-3214

DEPARTMENT OF TRANSPORTATION

Agency Clearance Officer, Bruce H.
Allen, 426-1887

Revisions

Federal Aviation Administration
FAA Airport Master Record
FAA 5010-1, 2, & 5
Annually

Airport owners/managers, 11,300
responses; 4,125 hours
Susan B. Geiger, 395-5867

FEDERAL EMERGENCY MANAGEMENT AGENCY

Agency Clearance Officer, Linda Shiley,
254-9515

Revisions

Promissory Note

FEMA 90-6

On occasion

Local governments in disaster areas, 100
responses; 25 hours

Edward C. Springer, 395-4814

Application for Loan Cancellation

FEMA 90-5

On occasion

Local governments in disaster areas, 100
responses; 50 hours

Edward C. Springer, 395-4814

NATIONAL SCIENCE FOUNDATION

Agency Clearance Officer, Herman
Fleming, 634-4070

New Forms

Questionnaire on Research in Computer
Science

Un-numbered

Single time

Computer companies, 30 responses; 300
hours

Marsha D. Traynham, 395-6140

C. Louis Kincannon,

Acting Deputy Assistant Director for Reports
Management.

[FR Doc. 80-12136 Filed 4-18-80; 8:45 am]

BILLING CODE 3110-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 16744; (SR-Amex-79-22)]

American Stock Exchange, Inc.; Order Approving Proposed Rule Change

April 15, 1980.

In the matter of American Stock
Exchange, Inc., 86 Trinity Place, New
York, New York 10006.

On January 2, 1980, the American
Stock Exchange, Inc. ("Amex") filed
with the Commission, pursuant to
Section 19(b)(1) of the Securities
Exchange Act of 1934, 15 U.S.C.
78(s)(b)(1) (the "Act") and Rule 19b-4
thereunder, copies of a proposed rule
change which amends Commentary .01
to its Rule 958 to clarify that options
transactions of Registered Options
Traders ("ROT") must actually be
initiated by the ROT while on the floor
of the exchange in order to qualify for
the specialist exemptions from
Regulation T of the Federal Reserve
Board (12 CFR 220) and Section 11(a) of
the Securities Exchange Act of 1934.

Notice of the proposed rule change
together with the terms of substance of
the proposed rule change was given by
publication of a Commission Release
(Securities Exchange Act Release No.
34-16625, March 5, 1980) and by
publication in the Federal Register (45
FR 16058, March 12, 1980). No written
statements with respect to the proposed
rule change were filed with the
Commission.

The Commission finds that the
proposed rule change is consistent with
the requirements of the act and the rules
and regulations thereunder applicable to
national securities exchanges, and in
particular, the requirements of Section 6,
and the rules and regulations
thereunder.

It is therefore ordered, pursuant to
Section 19(b)(2) of the Act, that the
above-mentioned proposed rule change
be, and it hereby is, approved.

For the Commission, by the Division of
Market Regulation pursuant to delegated
authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-12167 Filed 4-18-80; 8:45 am]

BILLING CODE 8010-01-M

[File No. 500-1]

Bache Group, Inc.; Order of Suspension of Trading

March 27, 1980.

In the matter of trading in the
securities of Bache Group, Inc., File No.
500-1; Securities Exchange Act of 1934
Section 12(k).

It appearing to the Securities and
Exchange Commission that there are
certain undisclosed material corporate
events relating to commodities futures
trading accounts maintained by
customers of Bache Group, Inc., the
Commission is of the opinion that the
public interest and the protection of
investors require a summary suspension
of trading in the securities of Bache
Group, Inc.

Therefore, it is ordered, pursuant to
Section 12(k) of the Securities Exchange
Act of 1934, trading in such securities on
a national securities exchange or
otherwise is suspended, for the period
from 2:15 p.m. on March 27, 1980 and
terminating at midnight on April 5, 1980
unless sooner ordered by the
Commission.

By the Commission.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-12163 Filed 4-18-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 16740; (SR-CBOE-80-3)]

Chicago Board Options Exchange, Inc.; Order Approving Proposed Rule Change

April 14, 1980.

In the matter of Chicago Board
Options Exchange, Inc., LaSalle at
Jackson, Chicago, Illinois 60604.

On February 19, 1980, the Chicago
Board Options Exchange, Incorporated
("CBOE") filed with the Commission,
pursuant to Section 19(b)(1) of the
Securities Exchange Act of 1934, 15
U.S.C. 78(s)(b)(1) (the "Act") and Rule
19b-4 thereunder, copies of a proposed
rule change which amends CBOE rules
regarding the procedures for the
resolution of unmatched trades.

Notice of the proposed rule change
together with the terms of substance of
the proposed rule change was given by
publication of a Commission Release
(Securities Exchange Act Release No.
34-16618, March 3, 1980) and by
publication in the Federal Register (45
FR 15352, March 10, 1980). No comments
were received with respect to the
proposed rule filing.

The Commission finds that the
proposed rule change is consistent with
the requirements of the Act and the

rules and regulations thereunder applicable to a national securities exchange and in particular, the requirements of Section 6 and the rules and regulations thereunder.

It is therefore ordered, pursuant to section 19(b)(2) of the Act, that the above-mentioned proposed rule change be, and it hereby is approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 80-12113 Filed 4-18-80; 8:45 am]

BILLING CODE 8010-01-M

[File No. 500-1]

Lilac, Inc.; Order of Suspension of Trading

March 24, 1980.

In the matter of trading in the securities of Lilac Inc., File No. 500-1; Securities Exchange Act of 1934 Section 12(k).

It appearing to the Securities and Exchange Commission that there has been recent unusual and unexplained price rise and market activity in the securities of Lilac, Inc. between March 3, 1980 and March 17, 1980, when the price of Lilac's securities increased from 10 cents asked per share to \$1.88 per share, and that during that period there was no publicly available information which would appear to justify this market activity inasmuch as a recent Lilac financial statement indicates that it has no assets, no liabilities and no ongoing business operations, the Commission is of the opinion that the public interest and the protection of investors require a summary suspension of trading in the securities of Lilac, Inc.

Therefore, it is ordered, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on a national securities exchange or otherwise is suspended, for the period from 9 a.m. on March 25, 1980 and terminating at midnight on April 3, 1980 unless sooner ordered by the Commission.

By the Commission.

George A. Fitzsimmons,
Secretary.

[FR Doc. 80-12106 Filed 4-18-80; 8:45 am]

BILLING CODE 8010-01-M

[File No. 500-1]

McDowell Enterprises, Inc.; Order of Suspension of Trading

March 19, 1980.

In the matter of trading in the securities of McDowell Enterprises, Inc., File No. 500-1; Securities Exchange Act of 1934 Section 12(k).

It appearing to the Securities and Exchange Commission that serious additional and separate questions have been raised concerning the possible impact upon the trading market of the stock of McDowell due to the availability for sale of a substantial block of such stock of McDowell from a failure by customers to meet margin calls; that information has been provided to the Commission that customers of a broker-dealer have been requested by the broker-dealer to make full payment for the shares of McDowell in their accounts and that customers owning approximately 500,000 shares of McDowell are currently unable to make such payment; that the sale of such McDowell shares representing approximately 21% of the market in McDowell stock would result in an extreme disruption to the trading market in McDowell stock; that the suspension of trading also was ordered because the Commission, as well as the American Stock Exchange, believes that a fair and orderly market in the securities could not otherwise be maintained and that a suspension was required to permit plans to be made for the commencement of an orderly trading market in the securities, the Commission is of the opinion that the public interest and the protection of investors require a summary suspension of trading in the securities of McDowell Enterprises, Inc.

Therefore, it is ordered, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities on a national securities exchange or otherwise is suspended, for the period from midnight on March 20, 1980 through midnight on March 30, 1980.

By the Commission.

George A. Fitzsimmons,
Secretary.

[FR Doc. 80-12164 Filed 4-18-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 11131]

Montana Tax Exempt Income Trust, Series 1; Filing of Application Pursuant to Section 8(f) of the Investment Company Act of 1940 for an Order Declaring That Applicant Has Ceased To Be an Investment Company

April 15, 1980.

In the matter of Montana Tax Exempt Income Trust, Series 1, c/o D. A. Davidson & Co., Davidson Building, P.O. Box 5015, Great Falls, Montana 59403.

Notice is hereby given that Montana Tax Exempt Income Trust, Series 1 ("Applicant"), registered under the Investment Company Act of 1940 ("Act") as a unit investment trust, filed an application on March 17, 1980, pursuant to Section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant, created upon the execution of a Trust Agreement between the Sponsor, D. A. Davidson & Co., and the Trustee, Bradford Trust Company, registered under the Act on January 17, 1980, and on that date it also filed a registration statement (File No. 2-66442) under the Securities Act of 1933 ("1933 Act") covering 5,500 units of beneficial interests in connection with a proposed public offering of such securities. The application states that the 1933 Act registration statement was not declared effective and that no public offering of Applicant's securities was ever effected. The Commission on March 26, 1980, ordered the withdrawal of the 1933 Act registration statement. The application further states that Applicant currently has no securityholders, no assets and no liabilities, and that it was not engaged in any business other than winding-up of its affair. Finally, Applicant states that, since it has never had any assets, it has not transferred any assets to a separate trust the beneficiaries of which were or are securityholders of Applicant, and it is not a party to any pending litigation or administrative proceeding.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission, on its own motion or upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon effectiveness of such order the registration of such

company shall cease to be in effect.

Notice is further given that any interested person may, not later than May 8, 1980, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit, or in the case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 80-12165 Filed 4-18-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-16739; File No. SR-MSRB-80-4]

Self-Regulatory Organizations; Proposed Rule Changes by Municipal Securities Rulemaking Board

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on April 9, 1980 the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission the proposed rule changes as follows:

Statement of the Terms of Substance of the Proposed Rule Changes

The Municipal Securities Rulemaking Board is filing herewith proposed amendments to the Board's advertising rules, rules G-21, G-33, and G-34 (hereafter sometimes referred to as the "proposed rule changes"). The text of

the proposed rule changes is set forth below.

Statement of Basis and Purpose

The basis and purpose of the foregoing proposed rule changes are as follows:

Purpose of Proposed Rule Changes

The proposed rule changes would consolidate the Board's separate advertising rules into a single rule, define the term "advertisement" as used in the rule, modify the requirements for new issue advertisements, extend the requirement for approval of advertisements by a principal to new issue advertisements and make certain other clarifying changes to the advertising rules. The purpose and effect of each proposed rule change are discussed in detail below.

Consolidation of Advertising Rules

At the present time, there are three separate Board rules in effect relating to advertising: rule G-21 setting forth standards for advertisements concerning the facilities, services or skills of a municipal securities broker or municipal securities dealer; rule G-33 requiring a syndicate or syndicate member to make certain disclosures in advertisements of new issues of municipal securities, and rule G-34 setting forth standards for product advertisements. The proposed rule changes consolidate the three rules into a single rule, amended rule G-21.

The Board believes that the consolidation of the three rules will have several beneficial effects, including facilitating reference to the Board's advertising rules. Several industry members have commented in the past that such a consolidation would be helpful to them in this regard. In addition, consolidation will serve to highlight the differences in the standards for various types of advertisements.

Definition of the Term "Advertisement"

At present, the terms "advertisement" and "advertisement or similar communication" are used in the Board's three advertising rules, but are not defined explicitly in any of them. The Board believes that a definition of the term "advertisement" is needed for purposes of clarity and uniformity and therefore proposes to define the term as follows:

For purposes of this rule, the term "advertisement" means any material (other than listings of offerings) published or designed for use in the public media, or any promotional literature designed for dissemination to

the public, including any notice, circular, report, market letter, form letter, or reprint or excerpt of the foregoing.

The definition would not apply to preliminary official statements or official statements, but would apply to any document prepared by a municipal securities professional, including an abstract or summary of an official statement or an offering circular. The definition would also not apply to listings of offerings, such as those which appear in "The Blue List of Current Municipal Offerings". Such listings are subject to the requirements of rule G-13 relating to quotations.

New Issue Advertisements

Rule G-33 currently requires a syndicate or syndicate member to make certain disclosures in advertisements of new issue municipal securities. The first part of the rule refers to advertisements for new issues of municipal securities which are "not available from the syndicate at the end of the pre-sale period," and provides that any announcement or advertisement with respect to such securities must indicate clearly the fact that they are not available from the syndicate. The second part of the rule addresses the problem of information in advertisements, whether placed during the pre-sale period or afterwards, becoming outdated because of the delay between the time an advertisement is prepared and the time it is published. Rule G-33 requires that in such circumstances a new issue advertisement indicate that the securities may no longer be available from the syndicate at the time of publication or may be available from the syndicate at a price or yield different from that shown in the advertisement.

The proposed rule changes reflect the Board's decision to modify the requirements for new issue advertisements. Under the proposed rule changes, a syndicate or syndicate member would not have to show in a new issue advertisement the status of the offering at the end of the pre-sale period. Instead, the rule would permit a syndicate or syndicate member to show the initial offering terms even if securities of a particular maturity or maturities are no longer available or the terms have changed, provided that the date of sale, as defined in the rule, is included in the advertisement. If the yield or price of any securities shown in an advertisement is different from the initial offering terms for the securities, the advertisement would have to reflect the actual prices or yields of the securities shown in the advertisement at the time the advertisement is submitted for publication. In either situation, a

statement that the securities may no longer be available from the syndicate at the time of publication or may be available at a different price or yield would have to be included, if that is in fact the case.

The Board has adopted the proposed changes in order to simplify the requirements for new issue advertisements and eliminate needless "clutter" in such advertisements. Compliance with the rule in its present form often requires the use of asterisks and several separate footnotes or legends. Under the proposed rule changes, the inclusion of the date of sale and, if appropriate, a statement regarding the possibility of changes in price and availability would be sufficient. The Board notes in this regard that "tombstone" advertisements are often placed for record purposes only, and not for the purpose of soliciting sales of the securities shown in the advertisements. The approach of the proposed rule changes is consistent with the record purposes of such advertisements because it permits a syndicate to show the basic terms of an offering for historical purposes.

The Board is firmly of the view that prospective purchasers will not be misled by advertisements complying with the provisions of the proposed rule changes. The requirement to include the date of sale would put prospective purchasers on notice that the information in a new issue advertisement reflects the status of the offering at an earlier point in time. Further, the requirement for inclusion, in appropriate circumstances, of a statement that the securities shown in an advertisement may not be available at the time of publication or may be available at a different price or yield would serve to underline for prospective purchasers the possibility of a change in the status of the offering.

Approval of Advertisement by Municipal Securities Principals

Under rules G-21 and G-34 as currently in effect, all advertisements are required to be approved in writing by a municipal securities principal or general securities principal prior to first use. Each broker, dealer, or municipal securities dealer must also keep current, in a separate file, records of all such advertisements. The proposed rule changes would extend these requirements to new issue advertisements. The Board believes that new issue advertisements should be subject in this regard to the same regulatory requirements as all other advertisements.

Basis Under the Act for Proposed Rule Changes

The Board has adopted the proposed rule changes pursuant to section 15B(b)(2) of the Securities Exchange Act of 1934, as amended (the "Act"), which authorizes the Board to adopt rules governing transactions in municipal securities effected by brokers, dealers, and municipal securities dealers, and in accordance with the standards set forth in section 15B(b)(2)(C) of the Act, which provides in part that the Board's rules shall be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, . . . to remove impediments to and perfect the mechanism of a free and open market in municipal securities, and, in general, to protect investors and the public interest; and [shall] not be designed to permit unfair discrimination between customers, issuers, municipal securities brokers, or municipal securities dealers . . .

Comments Received From Members, Participants or Others on Proposed Rule Changes

On August 14, 1979, the Board issued an exposure draft on proposed changes to its advertising rules (the "exposure draft"). In response to the exposure draft, the Board received eight letters of comment from the following persons:

Dealer Bank Association (the "DBA")
First National Bank of Chicago ("FNB Chicago")
Kidder, Peabody & Co., Inc. ("Kidder Peabody")
National Association of Securities Dealers, Inc. (the "NASD")
National Bank of Detroit
Salomon Brothers
Division of Market Regulation, Securities and Exchange Commission (the "Commission staff")
Union Bank

Copies of the letters of comment are on file at the Commission. In addition, the Board received several oral comments on the proposed changes, including comments from persons attending seminars sponsored by the NASD and the Public Securities Association (the "PSA"). Set forth below is a discussion of the comments received on the exposure draft.

Consolidation of the Advertising Rules

In the exposure draft, the Board indicated its intention to consolidate its three separate advertising rules into a single rule, amended rule G-21. The commentators unanimously supported the proposed consolidation of the advertising rules.

Definition of "Advertisement"

The exposure draft set forth a proposed definition of the term "advertisement" substantially similar to that contained in the proposed rule changes. The definition reflected the Board's previous responses to inquiries regarding the meaning of the term. See, for example, a letter to Anne E. Chafer, Esq., of the Commission staff, dated May 24, 1979.

In the exposure draft, the Board stated that the definition "would not apply to preliminary official statements or official statements (or abstracts or summaries of such documents prepared by municipal securities professionals), but would apply to any offering circular prepared by municipal securities professionals." The Board has decided, on reconsideration, that only documents prepared by or on behalf of issuers should be excluded from the definition of advertisement. Accordingly, abstracts or summaries of official statements prepared by municipal securities professionals would be advertisements within the meaning of the rule. The Board is of the view that such documents should be treated in the same manner as offering circulars since they are also often used as promotional literature. The Board also believes that, as a practical matter, it would be difficult to differentiate between an abstract or summary of an official statement prepared by a dealer, and an offering circular.

The NASD suggested that all "known exclusions" be included in the definition. The Board has not excluded from the definition of "advertisement," by interpretation or otherwise, any material prepared by a municipal securities professional, except "listings of offerings" and this exclusion is specifically reflected in the definition. Offering documents prepared by issuers are, of course, not subject to amended rule G-21.

Kidder Peabody suggested that the words "printed, audio or visual" be added before the word "material" in the definition. The Board does not believe that the suggested addition is necessary to make clear that the definition applies to all such materials.

With respect to the exclusion for "listings of offerings," the Commission staff indicated that they assumed that the exclusion would not apply to listings of offerings of new issue municipal securities. The Commission staff therefore suggested that the definition be modified to provide specific guidance regarding the intended scope of the exclusion.

The Board intends the exclusion to apply in fact to new issue listings, as well as listings of secondary offerings. In industry publications, such as *The Blue List*, municipal securities professionals regularly offer securities of a new issue through entries listing the maturities and prices or yields of the securities. The Board is of the view that all listings of offerings, whether for securities in the primary or secondary market, should be excluded from the definition since, among other reasons, such listings are subject to rule G-13 on quotations.

FNB Chicago approved of the proposed definition, but suggested that, for purposes of clarity, the phrase "other than listings of offerings" be placed in parentheses. The Board adopted this suggestion.

The NASD and the Commission staff both recommended that, in view of the broad definition of "advertisement," the phrase "advertisement or announcement" in the exposure draft's version of section (d) of amended rule G-21 be modified to delete the word "announcement" since the term "advertisement" would include any announcement. The Board has adopted this recommendation.

New Issue Advertisements

Rule G-33 requires a syndicate or syndicate member to make certain disclosures in advertisements of new issue municipal securities. The first part of the rule refers to new issues of municipal securities which are "not available from the syndicate at the end of the pre-sale period" and provides that advertisements of such securities must indicate clearly the fact that they are not available from the syndicate.

In the exposure draft, the Board proposed to modify the rule to require a new issue advertisement to reflect the status of an offering at the time an advertisement is placed (as opposed to the status at the end of the pre-sale period). The "time an advertisement is placed" was defined to mean when the advertisement "is published or must be finally submitted to another person for publication, whichever first occurs." The Board explained in the exposure draft that the change would require a municipal securities professional who places a new issue advertisement in a newspaper, to modify the advertisement in order to reflect the availability of the securities up until the time permitted by the newspaper for final changes to be made. The Board indicated that it would be particularly interested in comments on this aspect of the proposal.

The DBA, FNB Chicago, Kidder Peabody, National Bank of Detroit and

Union Bank, as well as several persons at the NASD and PSA seminars, objected to the proposed change. These commentators stressed in general the practical problems which would result from such a change. For example, several commentators suggested that it might not be possible in certain cases to make the necessary determinations as to the status of various maturities by the deadline for changes.

After extended deliberation, the Board decided not to adopt the draft proposal because it concluded that the resulting practical problems would outweigh the possible benefits.

As a consequence of considering this proposal and the comments submitted with respect to it, the board undertook a general review of the current requirements of rule G-33. The Board concluded as a result of this review that the requirements for new issue advertisements should be modified in certain respects, as reflected in the proposed rule changes. The substance and purpose of the proposed modifications are discussed above.

Approval of Advertisements by Municipal Securities Principals

Rules G-21 and G-34 currently require all product and professional advertisements to be approved in writing by a municipal securities principal or general securities principal prior to first use. These rules also require that each broker, dealer or municipal securities dealer keep current in a separate file records of all such advertisements.

The Board proposed in the exposure draft to extend these requirements to rule G-33 relating to advertisements of new issue municipal securities, which has no such requirement at this time.

Of the commentators submitting letters, only FNB Chicago addressed this proposal. FNB Chicago asserted that this requirement would be difficult to comply with if the Board adopted the amendment requiring advertisements to be updated after submission to a publisher. Several other commentators at the NASD and PSA seminars made the same point.

Since the Board has decided not to adopt the proposal to require the updating of information in a new issue advertisement, these objections are moot.

Miscellaneous Comments

Under the Board's advertising rules, two liability standards are used: rule G-21 applies a strict standard of liability for professional advertisements; rule G-34 utilizes a knowledge standard for product advertisements. The NASD

suggested that a single "knowledge" standard be used in connection with all types of advertisements.

A similar suggestion was made when the rules were in draft form. The Board decided, however, that a knowledge standard is not appropriate for advertisements regarding a municipal securities professional's "facilities, services, or skills." In the case of such advertisements, the Board concluded that a dealer should be absolutely responsible for all substantive errors, other than those attributable to typographical or clerical mistakes. The Board continues to be of this view.

Salomon Brothers suggested that rule G-33 should be modified to address a purported problem relating to the use of the phrase "Not Reoffered." According to Salomon Brothers, the use of this phrase implies that the securities "were purchased by legitimate retail investors prior to the printing of the advertisement * * *." Salomon Brothers therefore suggested that the phrase in question be permitted to be used only when bonds have been purchased by "legitimate retail investors." The Board does not agree with the premise of Salomon Brothers that the phrase "Not Reoffered" is understood to mean that the securities have been sold to retail customers and therefore did not adopt the recommendation.

Burden on Competition

The Board is of the opinion that the proposed rule changes will not impose any burden on competition among brokers, dealers or municipal securities dealers not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule changes set forth standards of ethical advertising for all securities professionals conducting a municipal securities business.

Within 35 days of the date of publication of this notice in the *Federal Register*, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) by order approve such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission,

Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number reference in the caption above and should be submitted on or before May 12, 1980.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

April 11, 1980.

Text of the Proposed Rule Changes*

Rule G-21. Advertising

(a) Definition of "Advertisement." For purposes of this rule, the term "advertisement" means any material (other than listings of offerings) published or designed for use in the public media, or any promotional literature designed for dissemination to the public, including any notice, circular, report, market letter, form letter or reprint or excerpt of the foregoing.

(b) Professional Advertisements. No broker, dealer, or municipal securities dealer shall publish or cause to be published any advertisement concerning the facilities, services or skills with respect to municipal securities of such broker, dealer, or municipal securities dealer or of another broker, dealer, or municipal securities dealer, that is materially false or misleading.

(c) Product Advertisements. No broker, dealer, or municipal securities dealer shall publish or cause to be published any advertisement concerning municipal securities which such broker, dealer, or municipal securities dealer knows or has reason to know is materially false or misleading.

(d) New Issue Advertisements. In addition to the requirements of section (c), all advertisements for new issue municipal securities shall also be subject to the following requirements:

(i) Accuracy at Time of Sale. A syndicate or syndicate member which publishes or causes to be published any advertisement for the general public regarding the offering by the syndicate of a new issue of municipal securities, or any part thereof, may show the initial reoffering prices or yields for the securities, even if the price or yield for a maturity or maturities may have changed, provided that the advertisement contains the date of sale of the securities by the issuer to the syndicate. In the event that the prices or yields shown in a new issue advertisement are other than the initial reoffering prices or yields, such an advertisement must show the prices or yields of the securities as of the time the advertisement is submitted for

publication. For purposes of this rule, the date of sale shall be deemed to be, in the case of competitive sales, the date on which bids are required to be submitted to an issuer and, in the case of negotiated sales, the date on which a contract to purchase securities from an issuer is executed.

(ii) Accuracy at Time of Publication. Each advertisement relating to a new issue of municipal securities shall also indicate, if applicable, that the securities shown as available from the syndicate may no longer be available from the syndicate at the time of publication or may be available from the syndicate at a price or yield different from that shown in the advertisement.

(e) Approval by Principal. Each advertisement subject to the requirements of this rule must be approved in writing by a municipal securities principal or general securities principal prior to first use. Each broker, dealer, and municipal securities dealer shall make and keep current in a separate file records of all such advertisements.

[FR Doc. 80-12110 Filed 4-18-80; 8:45 am]
BILLING CODE 8010-01-M

[Release No. 16742; (SR-Phlx-80-5)]

Philadelphia Stock Exchange, Inc.; Order Approving Proposed Rule Change

April 14, 1980.

In the matter of Philadelphia Stock Exchange, Inc., 17th Street and Stock Exchange Place, Philadelphia, Pa. 19103.

On February 25, 1980, the Philadelphia Stock Exchange, Inc. ("Phlx") filed with the Commission, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78(s)(b)(1) (the "Act") and Rule 19b-4 thereunder, copies of a proposed rule change which defines spread orders, straddle orders and combination orders and accords to combination orders the same limited exception to book priority which is presently accorded to spread and straddle orders.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 34-16619, March 3, 1980) and by publication in the Federal Register (45 FR 15357, March 10, 1980). No comments were received with respect to the proposed rule filing.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and in particular, the requirements of Section 6 and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the

above-mentioned proposed rule change be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 80-12112 Filed 4-18-80; 8:45 am]
BILLING CODE 8010-01-M

[Release No. 16741; (SR-Phlx-80-4)]

Philadelphia Stock Exchange, Inc.; Order Approving Proposed Rule Change

April 14, 1980.

In the matter of Philadelphia Stock Exchange, Inc., 17th Street and Stock Exchange Place, Philadelphia, Pa. 19103.

On March 3, 1980, the Philadelphia Stock Exchange, Inc. ("Phlx") filed with the Commission, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78(s)(b)(1) (the "Act") and Rule 19b-4 thereunder, copies of a proposed rule change which amends Phlx Rule 1046 to provide additional exemptions to its "restricted option rule" for (1) Registered Options Traders, (2) the entry of orders which result in spread positions, and (3) opening purchases of puts which are offset by long positions in the underlying stock or a security convertible into the underlying stock.

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 16624, March 5, 1980) and by publication in the Federal Register (45 FR 16067, March 12, 1980). No comments were received with respect to the proposed rule filing.

The Commission finds that the proposed rule change is consistent with the requirements of the act and the rules and regulations thereunder applicable to a national securities exchange, and in particular, the requirements of Section 6 and the rules and regulations thereunder.

It is therefore ordered, pursuant to section 19(b)(1) of the Act, that the above-mentioned proposed rule change be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

George A. Fitzsimmons,
Secretary.

[FR Doc. 80-12111 Filed 4-18-80; 8:45 am]
BILLING CODE 8010-01-M

*The text of current rules G-21, G-33, and G-34 has been deleted. Rule G-21 as proposed to be amended is set forth in *italics*.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Metropolitan Washington Airports;
Proposed Draft Environmental Impact
Statement for the Dulles Access
Highway—Outer Parallel Roadways
From Virginia Route 7 to Virginia
Route 28

AGENCY: Federal Aviation Administration.

ACTION: Notice of intent to prepare a draft environmental impact statement for the Dulles Access Highway—Outer Parallel Roadways from Virginia Route 7 to Virginia Route 28 in Fairfax County, Virginia; notice of meeting.

SUMMARY: The State of Virginia proposes to construct a four-lane roadway, two lanes in each direction (east and west), outside of, and adjacent to, the existing Dulles Airport Access Highway. The State proposes to construct the highway, which will be referred to as the Outer Parallel Roadway, within the Federal Government's right-of-way for the Access Highway that is maintained by the Federal Aviation Administration (FAA). The FAA right-of-way was acquired in sufficient width, and the Access Highway was constructed, so as to accommodate two outer lanes on either side of the existing road. The purpose of this project is to provide better access between the northern portion of Fairfax County, the eastern portion of Loudoun County and Washington, D.C. The outer roadway would extend from Sully Road (Virginia Route 28) in Loudoun County in an easterly direction within the Dulles Access Highway right-of-way, to Leesburg Pike (Virginia Route 7) in Fairfax County. The length of the corridor is approximately ten (10) miles.

FAA has determined that use of the Federal right-of-way for this purpose would be a major Federal action that may have a significant impact on the human environment. Therefore, an Environmental Impact Statement must be prepared in accordance with Department of Transportation regulations and procedures. The FAA and the Virginia Department of Highways and Transportation (VDH&T) will be the joint lead agencies for the preparation of the Environmental Impact Statement.

SCOPING PROCESS: Organizations or persons interested in contributing ideas and information for consideration in the development of the scope of the Draft Environmental Impact Statement are invited to submit this information by

letter to the Contact Person by May 16, 1980.

MEETING: A public information meeting concerning this proposal will be conducted on or about May 5, 1980. Notice of the public meeting, stating the date, time, and place will be published in area newspapers with general circulation. At this meeting, representatives of the State of Virginia will explain the highway proposal.

SUPPLEMENTARY INFORMATION: Some of the issues identified to date include:

1. Is there a need for improved means of commuter access between Loudoun and Fairfax Counties, Dulles Airport, and the District of Columbia?

2. What would be the effects on park and recreation areas, historic and archeological resources, water quality, air pollution, and biotic communities?

3. Concerns pertaining to the road as a stimulus to new residential and commercial development.

4. What would be the economic impact on the project area?

5. What mitigation measures such as traffic management plans should be considered?

6. What are the reasonable alternatives to this proposal? Alternatives which have been suggested and which are included in the study effort at this time are:

A. The no-build alternatives with the extension of Metrorail to Dulles Airport and/or the planned highway and transit improvements that are programmed to be implemented in the region regardless of the project.

B. No-build with traffic management measures—including the provision of traffic management measures for broader access to the Dulles Access Highway, special treatment for buses, carpools, or other high-occupancy vehicles on the Dulles Access Highway, additional access points for these vehicles, and associated local transportation system management improvements.

FUTURE PROCEEDINGS:

1. It is anticipated that the Draft Environmental Impact Statement (DEIS) will be issued and available to the public on or about August 15, 1980. Notices of availability will be published in the Federal Register and newspapers with general circulation.

2. A public hearing on the Draft Environmental Impact Statement (DEIS) will be held during the public comment period for the DEIS. Public Notices of date, time, and place will be published.

3. Technical services for this project are being provided to the Federal Aviation Administration, Metropolitan

Washington Airports and to the Virginia Department of Highways and Transportation by the firm of Parsons, Brinckerhoff, Quade & Douglas under a contract to the Virginia Department of Highways and Transportation.

CONTACT PERSON: Proposals regarding the scope of the EIS, as well as questions and comments regarding the proposed action, can be addressed to: Mr. Francis J. Conlon, Chief, Engineering Staff, Federal Aviation Administration, Metropolitan Washington Airports, Hangar #9, Washington National Airport, Washington, D.C. 20001, telephone: (703) 557-1136.

Dated: April 16, 1980.

James A. Wilding,

Director, Metropolitan Washington Airports.

[FR Doc. 80-12211 Filed 4-18-80; 8:45 am]

BILLING CODE 4910-13-M

[Summary Notice No. PE-80-11]**Petitions for Exemption; Summary of
Petitions Received and Dispositions of
Petitions Issued**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemptions received and of dispositions of petitions issued.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I) and of dispositions of certain petitions previously received. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Publication of this notice and any information it contains or omits is not intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before May 12, 1980.

ADDRESSES: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rules Docket (AGC-204), Petition Docket No. —, 800 Independence Avenue, SW., Washington, D.C. 20591.

FOR FURTHER INFORMATION: The petition, any comments received and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules

Docket (AGC-204), Room 916, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-3644.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of Part 11 of the Federal Aviation Regulations (14 CFR Part 11).

Issued in Washington, D.C., on April 11, 1980.

Edward P. Faberman,
Acting Assistant Chief Counsel, Regulations
and Enforcement Division.

Petitions for Exemptions

Docket No.	Petitioner	Regulations affected	Description of relief sought
18507	Mississippi Valley Airlines, Inc.	14 CFR part 93, subpart K	To amend Condition 2 of Exemption No. 2670 to allow the use of 60 passenger aircraft and extend the Exemption to allow the use of scheduled air taxi IFR reservations at O'Hare Airport, Chicago, Illinois while the petitioner attempts to obtain air carrier IFR reservations.
20253	Mr. John Brewer Bethel	14 CFR 69.91(c)(1)	To permit petitioner to be eligible for an inspection authorization without meeting the requirements of the Federal Aviation Regulations.
20254	Royale Airlines	14 CFR § 135.255(e)(1)	To amend petitioners operations specifications to permit the use of lower than standard takeoff visibility minimums at Polk AAF (Fort Polk).
5038A	FAA's National Aviation Facilities Experimental Center (NAFEC).	14 CFR §§ 91.116 (a), (b), and (d), and 91.117 (b) and (c).	To allow the petitioner to conduct flights for research and development of integrated approach and runway lighting systems, and cockpit displays for navigation, control and landing systems. Petitioner also Requests that the exemption be issued with the same provisions contained in Exemption No. 322E, which was issued to NAFEC on May 8, 1974, and expired April 30, 1977.

Dispositions of Petitions for Exemptions

Docket No.	Petitioner	Regulations affected	Description of relief sought—disposition
18617	Alaska Air Carriers Association, Inc.	14 CFR § 135.203(a)(1)	Extension of Exemption No. 2686 to permit 10 air taxi/commercial operators (ATCO) that operate seaplanes inside and outside the Ketchikan, Alaska, control zone, to operate under Special Visual Flight Rules (SVFR) below 500 feet mean sea level (MSL) inside the control zone, and VFR below 500 feet MSL outside the control zone. That exemption expired on February 28, 1980. <i>Granted April 9, 1980.</i>
19109	Pyramid Airlines	14 CFR §§ 21.181, 91.27, 91.29, and 91.165.	To permit Petitioner to operate two Nihon YS-11 A-500 and six DC-3 aircraft using the FAA approved minimum equipment lists. <i>Partial grant April 3, 1980.</i>
19164	Soloy Conversions Ltd.	CAR 6.247(c)(3)	To permit a reduction in the ground loads for a skid type landing gear comparable to that permitted for other than skid gears of helicopters. <i>Granted April 4, 1980.</i>
[19440] 19424	Royal Hawaiian Air Service	14 CFR § 135.297	To permit petitioner's pilots to operate under Part 135 without demonstrating an approach to a Non-Directional Beacon facility. <i>Granted April 7, 1980.</i>
19447	University of New Haven	14 CFR §§ 141.79(c)	To permit chief flight instructors who attend petitioner's 21-hour seminar for instructors to be considered to have met the requirements of Section 141.79(c). <i>Denied April 9, 1980.</i>
19597	Island Airlines Hawaii, Inc.	14 CFR § 135.297	To allow the petitioner to perform operations under Part 135 without conducting an instrument approach to an ILS and NDB facility. <i>Granted April 7, 1980.</i>
19742	Philippine Airlines	14 CFR parts 21, 61, 63 and 91	Amendment of Exemption No. 2888, as amended, to reflect the change in the lessor of B-747-2F6B aircraft N742PR from Bankers Trust Company to United States Trust Company of New York. <i>Granted April 4, 1980.</i>
19935	National Soaring Foundation, Inc.	14 CFR §§ 61.3(b) and 91.27(a)(1).	To permit foreign glider pilots and foreign built gliders to participate in the 47th US National Soaring Championships without complying with FAR airman and airworthiness certification requirements. <i>Granted April 3, 1980.</i>
20013	University of Illinois, Institute of Aviation	14 CFR §§ 147.21(b) (1), (2), and (3).	To permit a reduction in the required training hours in the general portion of petitioner's approved aviation maintenance technician course curriculum. <i>Denied April 4, 1980.</i>
20049	T.B.M., Inc.	14 CFR § 91.211	To allow petitioner to conduct training for its flightcrews in its Douglas DC-6 and DC-7 aircraft in preparation for operations under Part 137 of the Federal Aviation Regulations without utilizing a flight engineer. <i>Granted April 4, 1980.</i>
20165	British Midland	14 CFR parts 21 and 91	Amendment of Exemption No. 2931 to name Sabena Airlines in place of Bedek Aviation as the FAA repair station responsible for maintenance support of BMA's leased B-707-321C aircraft N448M. <i>Granted April 8, 1980.</i>
20252	Air Haiti, S.A.	14 CFR parts 21 and 91	To permit petitioner to operate leased U.S.-registered, B-707-331C freighter aircraft N15711 using the FAA-approved master minimum equipment list (MMEL) and to maintain the aircraft under Trans World Airlines' (TWA) continuous airworthiness maintenance program. <i>Granted April 8, 1980.</i>

[FR Doc. 80-11911 Filed 4-18-80; 8:45 am]

BILLING CODE 4910-13-M

Radio Technical Commission for Aeronautics (RTCA), Special Committee 139—Airborne Equipment Standards for Microwave Landing System (MLS); Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. I) notice is hereby given of a meeting of RTCA Special Committee 139 on Airborne Equipment Standards for Microwave Landing System (MLS) to be held on May 13-15, 1980 in Conference Room 9A-B, DOT/Federal Aviation Administration Building, 800 Independence Avenue S.W., Washington, D.C. commencing at 9:30 a.m.

The Agenda for this meeting is as follows: (1) Chairman's Introductory Remarks; (2) Approval of Minutes of Sixth Meeting Held on February 5-8, 1980; (3) Continue Review of the Third Draft of Minimum Operational Standards for MLS; and (4) Other Business.

Attendance is open to the interested public but limited to space available. With the approval of the Chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the RTCA Secretariat, 1717 H Street, N.W., Washington, D.C. 20006; (202) 296-0484. Any member of the public may present a written statement to the committee at any time.

Issued in Washington, D.C., on April 1, 1980.

Karl F. Bierach,
Designated Officer.

[FR Doc. 80-11912 Filed 4-18-80; 8:45 am]

BILLING CODE 4910-13-M

Federal Highway Administration

Environmental Impact Statement; Fayette County, Tex.

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed highway project in Fayette County, Texas.

FOR FURTHER INFORMATION CONTACT: W. L. Hall, Jr., P.E., District Engineer,

Federal Highway Administration, 826 Federal Building, Austin, Texas 78701, Telephone: (512) 397-5966.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Texas State Department of Highways and Public Transportation (DHT), intends to prepare an environmental impact statement (EIS) on a proposal to upgrade a portion of State Highway 71 (SH-71) in Fayette County, Texas, to a four-lane divided, non-controlled access facility. Because of difficulty in predicting availability of funds, the DHT has not yet decided whether to use State or Federal funds to finance construction of this project.

The highway section under study passes through the City of La Grange (Inc.) (1970 pop. 3,092), the corridor study begins at SH 71 approximately 4.2 miles West of La Grange and ends at SH 71 approximately 4.6 miles East of La Grange.

The existing facility is basically a two-lane roadway, with a four-lane roadway existing through a portion of the city to the East corporate limit and containing to a point approximately 2.5 miles East of the City. State Highway 71 has become a major arterial route connecting the Austin and Houston areas. Traffic volumes have increased considerably on this facility since the completion of Interstate 10 from Houston to Columbus. The existing facility through La Grange is inadequate to handle current traffic needs (9,600 vehicles per day near US-77) as evidenced by the present congestion in the downtown area.

The proposed improvement of SH-71 will safely and efficiently provide for the transportation needs of the area. Segregation of the intra-city traffic from thru traffic will alleviate congestion in the city and better serve local traffic. By segregating short local trips from thru trips, access to local housing, businesses, schools, and churches will be improved. The proposed improvement will benefit thru traffic by eliminating the usual delays and interruptions associated with city travel.

Five alternatives will be considered for this proposed action which include four possible bypass routes and a no-build alternative.

There are currently no plans to hold a formal scoping meeting for this proposal. Several public meetings were held in the earlier stages of planning for the proposed action. A public hearing will

be held in the fall of 1980 within the project area. Adequate notice will be given through the news media concerning the time and location of the hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

Issued on: April 10, 1980.

W. L. Hall, Jr.,
District Engineer, Austin, Texas.

[FR Doc. 11997 Filed 4-18-80; 8:45 am]

BILLING CODE 4910-22-M

Research and Special Programs Administration

Applications for Exemptions

AGENCY: Materials Transportation Bureau, DOT.

ACTION: List of applicants for exemptions.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Regulation of the Materials Transportation Bureau has received the applications described herein.

DATES: Comment period closes May 21, 1980.

ADDRESS COMMENTS TO: Dockets Branch Information Services Division, Materials Transportation Bureau, U.S. Department of Transportation, Washington, D.C. 20590. Comments should refer to the application number and be submitted in triplicate.

FOR FURTHER INFORMATION: Copies of the application are available for inspection in the Dockets Branch, Room 8426, Nassif Building, 400 Seventh Street, S.W., Washington, D.C.

Each mode of transportation for which a particular exemption is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo-only aircraft, 5—Passenger-carrying aircraft.

New Applications

Application No.	Applicant	Regulation(s) affected	Nature of exemption thereof
8390-N	Texas Instruments, Inc., Dallas TX	49 CFR 173.272(g)	To authorize shipment of 95-98% sulfuric acid in a one-gallon DOT Specification 2E polyethylene bottles having a minimum wall thickness of 0.030 inch with a screw cap closure overpacked four to a DOT Specification 12A box. (Mode 1.)
8391-N	Acurex Corp., Aerotherm Group, Mountain View, CA	49 CFR 173.302(a)(1), 173.304(a)(1), 175.3	To manufacture, mark and sell a non-DOT specification filament-wound reinforced plastic (FRP) high pressure cylinder having an aluminum liner for shipment of certain non-flammable compressed gases. (Modes 1, 2, 3, 4, and 5.)
8392-N	Gulf Oil Chemicals Co., Shawnee Mission, KS	49 CFR 173.182(c)	To authorize shipment of liquid argon and nitrogen in non-DOT specification cargo tanks, permanently mounted on a flat-bed trailer, by cargo vessel. (Mode 3.)
8393-N	Union Carbide Corp., Tarrytown, NY	49 CFR 172.101, 173.315, 176.76(b)	To authorize shipment of small quantities of sodium-potassium alloy contained in thermostats overpacked in fiberboard boxes, as non-regulated material. (Modes 1, 2, 3, and 4.)
8394-N	Tempset, Inc., St. Louis, MO	49 CFR 173.206	To authorize shipment of ethylene oxide not to exceed 138 grams contained in aluminum cartridges overpacked in fiberboard boxes. (Modes 1, 2, 3, and 4.)
8395-N	3M Co., St. Paul, MN	49 CFR 173.124(a)(3), 175.3	To authorize shipment of organic peroxide classed as a flammable liquid in DOT Specification MC-307/312 cargo tanks. (Mode 1.)
8396-N	Aztec Chemicals Division of Dart Industries, Inc., Elyria, OH	49 CFR 173.119(m)(11), (12)	To manufacture, mark and sell non-reusable, molded polyethylene drums with removable head, with capacities of 8, 16 and 32 gallons for shipment of phosphorus pentachloride, various corrosive solids, and commodities presently authorized in a DOT Specification 35. (Modes 1, 2, and 3.)
8397-N	Mauser Packaging Ltd., Mauser Werke G.m.b.H., New York, NY	49 CFR 173.154, 173.191, 173.217, 173.245b, 178.16	To authorize the use of venting valves incorporated into the closures for DOT Specification 17E and 17F drums for shipment of cement, classed as a flammable liquid. (Modes 1, 2, and 3.)
8398-N	W. R. Grace & Co., Dewey and Almy Chemical Division, Lexington, MA	49 CFR 178.116-8(b), 178.117-9(b)	To authorize carriage of Class A, B and C explosives not permitted for air shipment or in quantities greater than those prescribed for air shipment. (Mode 4.)
8399-N	Chemtech Industries, Inc., St. Louis, MO	49 CFR 173.264	To manufacture, mark and sell DOT-4L100 cylinders for shipment of argon, nitrogen, and oxygen, pressurized liquid. (Modes 1, 2, 3, and 4.)
8400-N	Bard Air Corp., Detroit, MI	49 CFR 172.101, 172.204(c)(3), 173.27, 175.30(a)(1), 175.320(b), and 49 CFR part 107 appendix B	
8404-N	Minnesota Valley Engineering, New Prague, MN	49 CFR 173.304(a)(2), 175.3	

This notice of receipt of applications for new exemptions is published in accordance with Section 107 of the Hazardous Materials Transportation Act (49 CFR U.S.C. 1806; 49 CFR 1.53(e)).

Issued at Washington, D.C. on April 10, 1980.

J. R. Grothe,

Chief, Exemptions Branch, Office of Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 80-12044 Filed 4-18-80; 8:45 am]

BILLING CODE 4910-60-M

Applications for Renewal or Modification of Exemptions or Applications To Become a Party to an Exemption

AGENCY: Materials Transportation Bureau, DOT.

ACTION: List of applications for renewal or modification of exemptions or application to become a party to an exemption.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR Part 107, Subpart B), notice is hereby given that the Office of Hazardous Materials Regulation of the Materials Transportation Bureau has received the applications described herein. This notice is abbreviated to

expedite docketing and public notice. Because the sections affected, modes of transportation, and the nature of application have been shown in earlier Federal Register publications, they are not repeated here. Except as otherwise noted, renewal applications are for extension of the exemption terms only. Where changes are requested (e.g. to provide for additional hazardous materials, packaging design changes, additional mode of transportation, etc.) they are described in footnotes to the application number. Application numbers with the suffix "X" denote renewal; application numbers with the suffix "P" denote party to. These applications have been separated from the new applications for exemptions to facilitate processing.

DATES: Comment period closes May 6, 1980.

ADDRESS COMMENTS TO: Dockets Branch, Information Services Division, Materials Transportation Bureau, U.S. Department of Transportation, Washington, D.C. 20590. Comments should refer to the application number and be submitted in triplicate.

FOR FURTHER INFORMATION: Copies of the applications are available for inspection in the Dockets Branch, Room 8426, Nassif Building, 400 7th Street, S.W., Washington, D.C.

Application No.	Applicant	Renewal of exemptions
2587-X	Welding & Therapy Service, Inc., Louisville, KY	2587
2787-X	Department of the Army, Washington, DC	2787
3606-X	Walter Kidde Co., Inc., Belleville, NJ	3606
4052-X	The Boeing Co., Seattle, WA	4052
4453-X	Wycoff Co., Inc., Salt Lake City, UT	4453
4497-X	Red Ball Supply, Inc., Oklahoma City, OK	4497
4850-X	Ensign Bickford Co., Simsbury, CT	4850
4850-X	Halliburton Services, Duncan, OK	4850

Application No.	Applicant	Renewal of exemptions	Application No.	Applicant	Renewal of exemptions
5136-X	Air Products & Chemicals, Inc., Allentown, PA	5136	7695-X	Lowaco, S.A., Geneva, Switzerland	7695
5196-X	El Paso Products Co., Odessa, TX	5196	7695-X	Orval Tank Containers, Paris, France	7695
5196-X	Shell Oil Co., Houston, TX	5196	7714-X	Suttons International Limited, London, England	7714
5243-X	Austin Powder Co., Cleveland, OH	5243	7752-X	Hugonnet, S.A., Paris, France	7752
5372-X	Air Products & Chemicals, Inc., Allentown, PA	5372	7804-X	Igloo Corp., Houston, TX	7804
5372-X	Union Carbide Corp., Tarrytown, NY	5372	7819-X	Compagnie Des Containers Reservoirs, Paris, France	7819
5688-X	Atlantic Container Line, New York, NY	5688	7819-X	Hugonnet, S.A., Paris, France	7819
5736-X	El Paso Products Co., Odessa, TX	5736	7898-X	Department of the Army, Washington, DC	7898
6064-X	Martin Marietta Corp., Charlotte, NC	6064	7921-X	Becton Dickinson & Co., Paramus, NJ	7921
6113-X	Valley Gas Co., Cumberland, RI	6113	7928-X	State of Alaska, Anchorage, AK	7928
6197-X	Philadelphia Gas Works, Philadelphia, PA	6197	7929-X	C.I.L. Chemicals, Inc. Plattsburgh, NY	7929
6309-X	Olin Corporation, Stamford, CT	6309	7929-X	C.I.L., Inc., Montreal, Quebec, Canada (see footnote 4)	7929
6398-X	Puerto Rico Marine Management, Inc., Elizabeth, NY	6398	7933-X	Greif Bros. Corp., Union, NJ (see footnote 5)	7933
6501-X	Goex, Inc., Cleburne, TX	6501	7943-X	Chem Lab Products, Inc., Anaheim, CA	7943
6536-X	South Jersey Gas Co., Folsom, NJ	6536	7943-X	Georgia-Pacific Corp., Newport Beach, CA	7943
6563-X	Mada Medical Products, Inc., Carlstadt, NJ	6563	7951-X	Avoset Food Corp., Oakland, CA (see footnote 6)	7951
6616-X	Fenwal, Inc., Ashland, MA	6616	7959-X	Woods Hole, Martha's Vineyard and Nantucket Steamship Authority, Woods Hole, MA	7959
6657-X	Kelsey Welding Supply Corp., New Berlin, WI	6657	8123-X	Texas Instruments, Inc., Dallas, TX (see footnote 7)	8123
6675-X	Olin Corp., Stamford, CT	6675	8153-X	Browning-Ferris Industries Chemical Services, Inc., Houston, TX	8153
6726-X	Born Free Plastics, Inc., Gardena, CA	6726	8244-X	Halliburton Services, Duncan, OK (see footnote 8)	8244
6759-X	Austin Powder Co., Cleveland, OH	6759	3941-P	Pacific Engineering & Production Co., Henderson, NV	3941
6806-X	Dow Chemical Co., Midland, MI	6806	6984-P	Wayland Explosives & Supply, Inc., Knoxville, TN	6984
6816-X	Department of the Army, Washington, DC	6816	7005-P	Ocean Trans, Limited, Inc., Dallas, TX	7005
6820-X	Chem Lab Products, Inc., Anaheim, CA	6820	7227-P	Brisam, Inc., Houston, TX	7227
6858-X	Interpool, New York, NY	6858	7883-P	Ethyl Corp., Baton Rouge, LA	7883
6858-X	Marcevaghi S.p.A., Vignole Borbera, Italy	6858	8046-P	Contrans, Inc., Hamburg, West Germany	8046
6858-X	Orval Tank Containers, Paris, France	6858	8156-P	Liquid Carbonic Corp., Chicago, IL	8156
6898-X	J.T. Baker Chemical Co., Phillipsburg, NJ	6898			
6919-X	Northern Petrochemical Co., Des Plaines, IL	6919			
7014-X	Hugonnet, S.A., Paris, France	7014			
7014-X	Eastern Mediterranean (Containers) Co., Ltd., London, England	7014			
7023-X	Texas Instruments, Inc., Dallas, TX (see footnote 1)	7023			
7032-X	Polaroid Corp., Needham Hts., MA	7032			
7040-X	Polaroid Corp., Needham Hts., MA	7040			
7052-X	National Aeronautics and Space Administration, Washington, DC	7052			
7052-X	Jet Propulsion Laboratory, Pasadena, CA	7052			
7052-X	Department of Energy, Washington, DC	7052			
7052-X	Sandia Laboratories, Albuquerque, NM	7052			
7052-X	Ray-O-Vac Division, ESB, Inc., Madison, WI	7052			
7052-X	Department of the Army, Washington, DC	7052			
7052-X	Battery Engineering, Inc., Newton, MA	7052			
7052-X	The Boeing Co., Seattle, WA	7052			
7052-X	Honeywell, Inc., Horsham, PA	7052			
7052-X	Power Conversion, Inc., Mount Vernon, NY	7052			
7073-X	Ethyl Corp., Baton Rouge, LA	7073			
7077-X	E.I. DuPont de Nemours & Co., Wilmington, DE (see footnote 2)	7077			
7270-X	Dow Chemical Co., Freeport, TX	7270			
7476-X	Thompson Tank & Mfg. Co., Inc., Long Beach, CA	7476			
7498-X	Allied Chemical Co., Morristown, NJ	7498			
7516-X	Eastern Mediterranean (Containers) Co., Ltd., London, England	7516			
7576-X	Hugonnet S.A., Paris, France	7576			
7596-X	Puerto Rico Marine Management, Inc., Elizabeth, NJ	7596			
7601-X	Atlantic Research Corp., Gainesville, VA (see footnote 3)	7601			
7607-X	Century Systems Corp., Arkansas City, KS	7607			
7633-X	Orval Tank Containers, Paris, France	7633			
7654-X	Mallinckrodt, Inc., St. Louis, MO	7654			
7657-X	Welker Engineering Co., Sugar Land, TX	7657			
7671-X	Hugonnet, S.A., Paris, France	7671			
7682-X	Igloo Corp., Houston, TX	7682			

¹Request authorization to use a 200 gallon container and to provide for additional commodities to the exemption.

²Request renewal and increase hydrostatic test frequency from two years to five years.

³To authorize an alternate type packaging (desiccator) for shipment of larger quantities of desensitized nitroglycerin.

⁴Request renewal and to authorize cargo only aircraft as an additional mode of transportation.

⁵Request authorization to ship poison liquids, Class B.

⁶Request renewal and to authorize shipment by cargo and passenger carrying aircraft as additional mode of transportation.

⁷To authorize shipment of 95-98% sulfuric acid in one gallon capacity DOT Specification 2E polyethylene bottles.

⁸Request addition of 2,500 gallon lined marine portable tank.

This notice of receipt of applications for renewal of exemptions and for party to an exemption is published in accordance with Section 107 of the Hazardous Materials Transportation Act (49 CFR U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, D.C., on March 10, 1980.

J. R. Grothe,

Chief, Exemptions Branch, Office of Hazardous Materials Regulation, Materials Transportation Bureau.

[FR Doc. 80-12045 Filed 4-19-80; 8:45 am]

BILLING CODE 4910-60-M

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

Granting of Relief

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF).

ACTION: Notice of granting of relief from disabilities incurred by conviction.

SUMMARY: The persons named in this notice have been granted relief by the Director, Bureau of Alcohol, Tobacco and Firearms, from their disabilities imposed by Federal laws. As a result, these persons may lawfully acquire, transfer, receive, ship, and possess firearms if they are in compliance with applicable laws of the jurisdiction in which they live.

FOR FURTHER INFORMATION CONTACT: Special Agent in Charge Michael L. Hall, Firearms Enforcement Branch, Investigations Division, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20026 (202-566-7457).

SUPPLEMENTARY INFORMATION: In accordance with 18 U.S.C. 925(c), the persons named in this notice have been granted relief from disabilities imposed by Federal laws with respect to the acquisition, transfer, receipt, shipment, or possession of firearms incurred by reason of their convictions of crimes punishable by imprisonment for a term exceeding one year.

It has been established to the Director's satisfaction that the circumstances regarding the convictions and each applicant's record and reputation are such that the applicants will not be likely to act in a manner dangerous to public safety, and that the granting of the relief will not be contrary to the public interest.

The following persons have been granted relief:

Acklin, Ronald, 840 Grand Concourse, Bronx, New York, convicted on December 19, 1973, in the Supreme Court, State of New York, New York County.

Aga, Michael L., North 7616 Dakota Street, Spokane, Washington, convicted on November 25, 1975, in the Superior Court of the State of Washington for Spokane County.

Allen, Curtis, General Delivery, Crumries, Kentucky, convicted on November 10, 1964, in the United States District Court, Eastern District of Kentucky.

Anderson, Gary E., Twin Lake Ranch, Powell Butte, Oregon, convicted on November 19, 1962, in the Circuit Court of Oregon, County of Linn.

Anderson, Harrison M., Sr., Route 2, Box 293, Wilkesboro, North Carolina, convicted in 1926 in the United States District Court, Wilkesboro, North Carolina; on August 20, 1927, in the Wilkes Superior Court, Wilkes County, North Carolina; and in 1929 in the

United States District Court, Wilkesboro, North Carolina.

Anderson, Raymond W., R.D. #1, Cabot, Pennsylvania, convicted on June 18, 1971, in the Court of Common Pleas, Butler County, Pennsylvania.

Ashauer, Daniel P., 726 Loderbauer Road, Kaukauna, Wisconsin, convicted on or about February 3, 1970, in the County Court, Branch II, Outagamie County, Appleton, Wisconsin.

Ashley, James F., Route 4, Box 520, North Wilkesboro, North Carolina, convicted on September 28, 1957, and on September 21, 1971, in the United States District Court, Winston-Salem, North Carolina; and on May 29, 1959, in the United States District Court, Wilkesboro, North Carolina.

Bagwell, Rusty, Route 1, Aberdeen, Mississippi, convicted on December 6, 1973, in the 54th District Court of Texas for the County of McLennan.

Barton, Kenneth R., P.O. Box 317, Rathdrum, Idaho, convicted on February 12, 1949, and on November 4, 1949, in the District Court, 8th Judicial District of Idaho, in and for the County of Bonner.

Bass, Paul E., 800A—28th Avenue, North, Nashville, Tennessee, convicted on October 11, 1972, in the Davidson County Juvenile Court, Nashville, Tennessee.

Beattiger, Mark T., 1220 Johnson Street, Wenatchee, Washington, convicted on April 18, 1975, in the Spokane County Superior Court, Spokane, Washington.

Becker, Charles A., 5540 Varna Drive, Indianapolis, Indiana, convicted on July 21, 1967, in the United States District Court, Indianapolis, Indiana.

Bedford, David M., Route 1, Box 41, Dillsboro, Indiana, convicted on August 11, 1959, in the Circuit Court of Dearborn, Indiana; and on May 10, 1961, in the Circuit Court of Ripley County, Indiana.

Beech, William K., Sir Clinton Apartments, Clinton, North Carolina, convicted on May 6, 1975, in the Sampson County Superior Court, Clinton, North Carolina.

Berry, Lester, 18511 E. Dalton, Spokane, Washington, convicted on March 9, 1959, in the Polk County District Court, Des Moines, Iowa; on February 14, 1962, in the District Court of Dawson County, Lexington, Nebraska; and on June 24, 1969, in the Superior Court of Washington, Lincoln County, Davenport, Washington.

Bibbs, Robert J., 8116 Knodell, Detroit, Michigan, convicted on June 14, 1972, in the Recorder's Court, Detroit, Michigan.

Birch, Ralph H., 3902 SW. 97th Street, Seattle, Washington, convicted on May 29, 1959, in the Superior Court of the State of Washington in and for King County.

Blanks, Ryland T., Route 3, Box 199, Nathalie, Virginia, convicted on January 23, 1975, in the United States District Court for the Western District of Virginia, Lynchburg.

Blitch, James S., 13 Ross, Norman, Oklahoma, convicted on April 27, 1973, in the King County Superior Court, Washington; and on December 6, 1974, in the United States District Court for the Western District of Washington.

Booker, Clinton F., 400 Huntsman Road, Sandston, Virginia, convicted on July 6, 1959, in the Circuit Court of Cloucester County, Virginia; and on September 21, 1961, in the

Hustings Court of the City of Richmond, Virginia.

Bramlett, Lester R., RFD 3, Box 145, Troutville, Virginia, convicted on May 6, 1975, in the Circuit Court of Rockbridge County, Virginia.

Brogdon, Coy C., Route 1, Box 7, Kinard, Florida, convicted on January 10, 1975, in the United States District Court, Western District of Tennessee, Memphis, Tennessee.

Brown, Warren H., 5056 Olivehurst Avenue, Olivehurst, California, convicted on December 28, 1939, in the District Court of Doniphan County, Kansas.

Burden, Elvin G., Jr., 1791 South Irvington Avenue, Indianapolis, Indiana, convicted on July 9, 1970, in the Criminal Court of Marion County, Indiana.

Burns, Joseph B., 1115 Middle Street, Pittsburgh, Pennsylvania, convicted on April 12, 1935, in the United States District Court, Southern District of New York.

Bynum, James E., Route 2, Box 165, Wilburton, Oklahoma, convicted on April 22, 1976, in the Latimer County District Court, Latimer County, Oklahoma.

Chandler, Joseph E., 3316 McKee Road, Matthews, North Carolina, convicted on January 17, 1974, in the United States District Court for the Western District of North Carolina, Charlotte Division.

Chapman, Michael S., P.O. Box 1236, Palmer, Alaska, convicted on March 7, 1976, in the Superior Court, Third Judicial District, Alaska.

Coffey, David T., Route 1, Box 25-B, Washington, Virginia, convicted on July 12, 1976, in the Rappahannock County Circuit Court, Washington, Virginia.

Cothren, Charlie E., Route 2, Box 95, Roaring River, North Carolina, convicted on November 22, 1939, and on April 24, 1952, in the United States District Court for the Middle District of North Carolina, Wilkesboro, North Carolina.

Denton, Michael D., 803 North 25th Avenue, Yakima, Washington, convicted on December 4, 1975, in the Superior Court, Yakima County, Washington.

DeVall, Rexford L., 6595 US 41, South, Marquette, Michigan, convicted on May 22, 1967, in the Circuit Court for Clare County, Harrison, Michigan.

Doherty, William, 2902 Florida, Longview, Washington, convicted on June 27, 1968, in the Superior Court, State of Washington, Cowlitz County.

Duluc, Juan, 4407 Carpenter Avenue, Bronx, New York, convicted on November 26, 1975, in the New York Supreme Court, Bronx County, New York.

Durbin, William J., 1708 Puente Avenue, Baldwin Park, California, convicted on April 4, 1961, in the Superior Court of California, Los Angeles, California.

Estabrook, Thomas A., Country Club Road, Oakland, Maine, convicted on June 22, 1953, in the Hennebec County Superior Court, Augusta, Maine.

Fish, Charles R., Route 10, Box 67, Raleigh, North Carolina, convicted on May 9, 1975, in the United States District Court, Eastern District of North Carolina.

Foster, D. Wayne, 2062 Fox Run Cove, Memphis, Tennessee, convicted on September 12, 1976, in the United States District Court, Western District of Tennessee.

French, Harvie L., Jr., Route 2, Box 190-A, Bland, Virginia, convicted on December 11, 1975, in the Circuit Court of Bland County, Commonwealth of Virginia.

Fross, Allen W., 407 Roberts Road, Dunkirk, New York, convicted on September 13, 1951, in the Chautauqua County Court, New York.

Gamble, Steve A., 133 Castlewood, Corpus Christie, Texas, convicted on July 22, 1975, in the 105th Judicial District Court, Kleberg County, Texas.

Gibson, Betty L., 1720 Jeffco Boulevard, Arnold, Missouri, convicted on September 12, 1975, in the United States District Court for the Eastern District of Missouri.

Goldman, Max, 7123 SE. Powell Boulevard, Portland, Oregon, convicted on March 29, 1945, in the Multnomah County Circuit Court, Oregon.

Grogg, Allen L., R.R. #4, Box 305, Bluffton, Indiana, convicted on September 7, 1965, in the Wells County Circuit Court, Indiana.

Haller, Terrance D., P.O. Box 708, Ilwaco, Washington, convicted on October 22, 1971, Kings County Superior Court, Kings County, Washington.

Hardesty, George A., 107 Kenwood Way, Louisville, Kentucky, convicted on March 20, 1959, in the United States District Court, Kentucky; and on March 24, 1969, in the Jefferson Circuit Court, Kentucky.

Hayes, Robert L., 9635 N. Van Houten, Portland, Oregon, convicted on December 23, 1974, in the Multnomah County Circuit Court, Multnomah County, Oregon.

Herbert, George W., Jr., Route 3, Box 867, Montross, Virginia, convicted on June 1, 1973, in the Circuit Court of Westmoreland County, Virginia.

Hermansen, Evan L., 4855 SW. 82nd Avenue, Davis, Florida, convicted on June 24, 1975, in the District Court of Box Butte County, Box Butte County, Nebraska.

Jenkins, Robert K., P.O. Box 402, Senath, Missouri, convicted on July 23, 1956, in the Circuit Court, Dunklin County, Missouri.

Johnson, Lonnie E., Route 3, Box 384, Windy Gap Road, North Wilkesboro, North Carolina, convicted on May 28, 1959, and on February 1, 1971, in the United States District Court, Wilkesboro, North Carolina.

Kasper, Darryl L., 559 Palm Avenue, South San Francisco, California, convicted on October 17, 1962, in the Superior Court of California, Stanislaus County.

Kent, Byron B., Route 4, Box 4231, Wapato, Washington, convicted on February 14, 1974, in the Superior Court of the State of Washington, Yakima County.

Kinney, Charles L., 1422 Fairlane Court, SE., Rochester, Minnesota, convicted on March 27, 1975, in the Third Judicial District Court, Olmstead County, Minnesota.

Kirkland, John R., 5621 West Camino Cielo, Santa Barbara, California, convicted on November 21, 1978, in the Circuit Court of Alachua County, Gainesville, Florida.

Lee, Percy A., 905 Burwell Street, Bessemer, Alabama, convicted on June 7, 1961, in the Circuit Court for the 10th Judicial District of Alabama, Criminal Division.

Lewis, Grayling L., 311 Arbor Court Apartments, Madison Heights, Virginia, convicted on August 18, 1975, in the Charlottesville Circuit Court, Virginia.

McBryde, Warren D., 606 West Marion Street, Mullins, South Carolina, convicted on June 17, 1975, in the United States District Court, District of South Carolina.

McCandless, Jerry L., E. 4230 4th Avenue, Spokane, Washington, convicted on August 15, 1975, in the Superior Court of the State of Washington, in and for the County of Spokane.

Mahllos, Randall A., 8704 10th Avenue, Miami, Florida, convicted on May 21, 1976, in the Superior Court, Maricopa County, Arizona.

Mann, Leigh H., 2555 S. 2nd Avenue, Pocatello, Idaho, convicted on April 10, 1970, in the Municipal Court of Los Angeles Judicial District, County of Los Angeles, California.

Mantlo, Glenn E., 208 SE. 1st Avenue, Alachua, Florida, convicted on August 9, 1960, in the Circuit Court of Alachua County, 8th Judicial District, Gainesville, Florida; and on November 24, 1964, in the Circuit Court of Marion County, Tavares, Florida.

Martz, Ronald L., R.D. #1, Box 51, Blue Ridge Summit, Pennsylvania, convicted on January 15, 1957, in the Franklin County Criminal Court, Chambersburg, Pennsylvania. Mayfield, Thomas B., 15417 Chichester, Houston, Texas, convicted on March 19, 1975, in the United States District Court, Western District, Texas; and on December 9, 1974, in the District Court, Robertson County, Texas.

Meyer, Mitchell A., Route 1, Box 50, Hayden Lake, Idaho convicted on January 20, 1977, in the District Court, 11th Judicial District, Lincoln County, Montana.

Mills, Barry C., 4241 Lamplighter Court, Richmond, Virginia, convicted on July 17, 1970, in the Circuit Court, Louisa County, Virginia.

Mills, Dallas, Route 2, West Paducah, Kentucky, convicted on September 27, 1972, in the Knox County Circuit Court, Kentucky.

Morgan, Leo J., 3719 S. 10th Street, Tacoma, Washington, convicted on March 17, 1977, in the Superior Court of Washington, County of Pierce, Tacoma, Washington.

Morrow, James E., 4577 Poinsettia Street, NE., Salem, Oregon, convicted on November 18, 1969, in the Circuit Court of Dinwiddie County, Virginia.

Newell, Vernon W., 1943 Angelo Street, Winston-Salem, North Carolina, convicted on May 7, 1975, in the United States District Court for the Middle District of North Carolina.

Noel, Leon R., 4110 West Carol Avenue, Phoenix, Arizona, convicted on October 29, 1974, in the United States District Court for the District of Arizona.

Olson, Thomas M., Glentilt Manor, R.D. 3, Wernersville, Pennsylvania, convicted on June 7, 1974, in the Superior Court, Wilmington, Delaware.

Owen, William D., 6275 Chase Road, Millington, Tennessee, convicted on August 27, 1974, in the Shelby County Criminal Court, Division II, Memphis, Tennessee.

Peercy, Harvey O., 3019 Chenoweth Road, Akron, Ohio, convicted on April 19, 1948; on February 20, 1957; and on July 8, 1965, in the Court of Common Pleas, Summit County, Ohio.

Pierce, Charlie L., Route 1, Box 110, South Mills, North Carolina, convicted on October

31, 1963, and on November 29, 1967, in the United States District Court for the Eastern District of North Carolina.

Pikenton, James E., Box 421, Moravian Falls, North Carolina, convicted on October 16, 1967, in the United States District Court for the Middle District of North Carolina, Wilkesboro, North Carolina.

Piotrowski, John A., 508 N. Bethune Drive, Virginia Beach, Virginia, convicted on October 10, 1974, in the Circuit Court, Virginia Beach, Virginia.

Ploof, Richard E., Jr., Creek Road, North Clarendon, Vermont, convicted on March 7, 1972, in the Hartford Superior Court, Connecticut.

Polite, Michael A., 13748 Harrell's Ferry Road, Baton Rouge, Louisiana, convicted on September 10, 1971, in the 19th Judicial District Court of Louisiana.

Ponder, Tommie L., 6252 Goddard Place, North Hollywood, California, convicted on September 4, 1968, in the Superior Court of California, Los Angeles County.

Pregno, James A., 3615 Bridlewood Drive, Montgomery, Alabama, convicted on June 22, 1972, and on August 2, 1976, in the United States District Court, Middle District, Alabama.

Pruitt, John A., Route 1, Box 37, Traphill, North Carolina, convicted on November 20, 1950, on May 25, 1951, and on November 21, 1955, in the United States District Court, Wilkesboro, Alabama.

Racher, Joel, 2219 Sixth Street, Ceres, California, convicted on July 31, 1975, in the Superior Court of California, Stanislaus County.

Renwick, Terry L., 1339 North Puget Street, Olympia, Washington, convicted on March 3, 1976, in the Superior Court of Washington, County of Thurston, Olympia, Washington.

Reyes, Robert J., 1442 S. Comstock Avenue, Milwaukee, Wisconsin, convicted on May 27, 1959, and on December 17, 1959, in the Municipal Court, Milwaukee County, Wisconsin.

Rivers, Carrol G., 2806 N. Star, Route 4, Box 1517, Odessa, Texas, convicted on August 10, 1973, in the 70th Judicial District Court, Elton County, Texas.

Rivers, Jerry D., 1654 Howard Street, Anderson, California, convicted on September 27, 1972, in the Superior Court of the State of California, Shasta County.

Rodenberg, George W., 4928 Sierra Madre Drive, El Paso, Texas, convicted on or about February 15, 1937, in the District Court, Ramsay County, Minnesota.

Russ, John L., Route 3, Box 2, Plymouth, California, convicted on June 15, 1966, in the Superior Court of the State of California in and for the County of Sacramento.

Schnapf, Marion M., R.R. #1, Slaughters, Kentucky, convicted on March 22, 1976, in the United States District Court, Owensboro, Kentucky.

Sherrill, William F., Jr., 60 Four Winds, Northport, Alabama, convicted on June 19, 1962, in the Circuit Court for the Sixth Judicial Circuit for the State of Alabama, County of Tuscaloosa.

Shipe, George E., 1331 Monroe Avenue, Front Royal, Virginia, convicted on June 15, 1971, and on September 23, 1974, in the Circuit Court of Warren County, Front Royal, Virginia.

Skelton, Dennis W., 312 Topa Topa Street, Ojai, California, convicted on December 1, 1961, in the Superior Court of California, Orange County, Santa Ana, California.

Smith, Woody R., 619 Welshire Drive, LaCrescent, Minnesota, convicted on September 1, 1978, in the United States District Court, Western District of Wisconsin.

Sprenger, Charles E., 34 Parkview Trailer Court, Minot, North Dakota, convicted on November 3, 1977, in the District Court, First Judicial District, County of Grand Forks, North Dakota.

Stoner, Albert, Box 119, Fayetteville, Pennsylvania, convicted on May 5, 1950, and on September 9, 1963, in the Criminal Court, Franklin County, Pennsylvania.

Strickler, Henry L., Route 4, Box 179, Harrisonburg, Virginia, convicted on October 18, 1965, in the Rockingham County Circuit Court, Harrisonburg, Virginia.

Stroh, James D., 1015 Indiana Avenue, Bismarck, North Dakota, convicted on October 28, 1975, in the District Court for the Fourth Judicial District, Burleigh County, Bismarck, North Dakota.

Summers, James F., 2205 Gadsden Street, Columbia, South Carolina, convicted on September 22, 1969, in the Court of General Sessions, County of Calhoun, State of South Carolina.

Sweeney, Maurice J., Jr., 1505 North Avenue, Burlington, Vermont, convicted on December 2, 1960, in the Chittenden Municipal Court, Burlington, Vermont.

Terry, Billy F., Route 8, Box 84, Monroe, North Carolina, convicted on February 10, 1976, in the Superior Court, Stanly County, North Carolina.

Thompson, Curtis L., Route 1, Box 142, Candor, North Carolina, convicted on February 19, 1969, in the Superior Court of Wake County, North Carolina.

Truitt, Jerry A., 3662 Summer Shade Cove, Memphis, Tennessee, convicted on July 30, 1976, in the United States District Court for the Western District of Tennessee, Western Division.

Umberger, Conley A., Route 1, Box 54, Pulaski, Virginia, convicted on December 20, 1976, in the Circuit Court, Pulaski County, Virginia.

Umstead, Clifton T., III, 602 Division Street, King City, California, convicted on August 26, 1960, in the Superior Court, Spokane County, Washington.

Vetor, John W., 1127 W. 4th Street, Marion, Indiana, convicted on May 2, 1960, in the Howard County Superior Court, Kokomo, Indiana.

Wade, Jack O., 14848 Phelps, Bridgeton, Missouri, convicted on July 12, 1974, in the United States District Court for the Eastern District of Missouri.

Watt, Kevin J., 1089 West Highland Avenue, Hermiston, Oregon, convicted on June 3, 1977, in the Circuit Court, Umatilla County, Oregon.

Wells, Andrew M., Route 1, Nicholson, Georgia, convicted on August 17, 1976, in the United States District Court, Northern District, Georgia.

Whalen, Harry J., III, Box 66, Elbow Bend Road, Bellevue, Nebraska, convicted on September 12, 1975, in the District Court, Sarpy County, Nebraska.

White, Lee, Jr., 14296 Harrison Road, Mishawaka, Indiana, convicted on November 1, 1949, in the Criminal Docket, St. Joseph Superior Court No. 2, Indiana.

Whitescarver, Chester G., Route 5, Cedar Heights, Russellville, Kentucky, convicted on February 20, 1976, in the Logan County Circuit Court, Kentucky; and on June 15, 1976, in the United States District Court, Western District of Kentucky.

Williams, James B., Route 11, Box 307, Greensboro, North Carolina, convicted on August 17, 1971, in the Superior Court Division, Guilford County, Greensboro, North Carolina.

Wilson, Aulton L., 960 Lake Village Drive, Chesapeake, Virginia, convicted on June 17, 1971, in the Corporation Court for the City of Norfolk.

Wood, Clifford O., Route 2, Moravian Falls, North Carolina, convicted on November 22, 1955, and October 16, 1973, in the United States District Court for the Middle District of North Carolina, Wilkesboro, North Carolina; and on March 18, 1959, in the United States District Court for the Western District of North Carolina, Statesville, North Carolina.

Wood, David A., 3024 N. Hill, Amarillo, Texas, convicted on November 8, 1976, in the United States District Court, Northern District of Texas.

Woodward, David L., P.O. Box 13, Brightwood, Virginia, convicted on April 18, 1963, in the Circuit Court of Madison County, Madison County, Virginia.

Woodward, James E., 409 Shutters Landing Road, North Bend, Oregon, convicted on September 29, 1971, in the Circuit Court, Coos County, Oregon.

Wyble, Edward M., 650 Venzule Drive, Brusly, Louisiana, convicted on June 11, 1976, in the United States District Court for the Middle District of Louisiana; and on July 27, 1976, in the Eighteenth Judicial District Court, West Baton Rouge Parish, Plaquemine, Louisiana.

Compliance With Executive Order 12044

This notice of granting of relief does not meet the Department's criteria for significant regulations as set forth in the Federal Register of November 8, 1978.

Signed: March 10, 1980.

G. R. Dickerson,
Director.

[FR Doc. 80-12141 Filed 4-18-80; 8:45 am]
BILLING CODE 4810-31-M

Office of the Secretary

Treasury Seeks Public Comment on Tax Treatment of Foreign Exchange Gains and Losses

The Treasury Department issued on April 10, 1980, a series of questions about the appropriate tax treatment of foreign exchange gains and losses. In so doing, the Treasury is expressing no position as to the state of existing law. Instead, the Treasury is requesting public comment to determine whether clarification or modification is needed

and, if so, the nature of such clarification or modification.

Persons interested in offering comments on the issues raised in the attached paper are invited to send their comments in writing to H. David Rosenbloom, International Tax Counsel, U.S. Department of the Treasury, Room 3064, Main Treasury Building, Washington, D.C. 20220.

Written comments should be received by August 31, 1980, in order to be sure that they will be taken into account in the formulation of any proposal.

Dated: April 15, 1980.
Donald C. Lubick,
Assistant Secretary (Tax Policy).

Issues Related to the Appropriate Tax Treatment of Foreign Exchange Gains and Losses

The Treasury Department is considering the appropriate tax treatment of gains and losses attributable to foreign exchange rate fluctuations. As an aid to determining whether proposals are desirable in this area, the Treasury would appreciate receiving comments on the issues and examples listed below as well as any other related issues which require attention. In raising these issues, the Treasury is not expressing any position as to their resolution under existing law.

I. Taxpayers Normally Keeping Accounts in Dollars.

A. *Recognition.* When should a taxpayer who normally transacts business and keeps accounts in dollars recognize foreign exchange gain or loss?

1. Should such a taxpayer who lends foreign currency recognize gain or loss upon repayment of the loan? Or should recognition await sale or exchange of the foreign currency proceeds for dollars, another currency or other property?

2. Should such a taxpayer borrowing foreign currency recognize gain or loss on repayment of a loan? Should a taxpayer be able to defer recognition of such a gain by reducing its basis in appropriate assets?

3. If a taxpayer contracts to purchase foreign currency under a forward exchange contract at a specified exchange rate and subsequently takes delivery of the foreign exchange under the terms of that contract, should a gain or loss be recognized upon the purchase? If not, upon what dispositions or uses of the foreign currency should gain or loss be recognized?

B. *Character.* Should foreign exchange gains and losses be ordinary or should they be capital? To what extent should present Internal Revenue Code rules designed to deal with special securities

and commodity transactions (e.g., short sales, holding periods, options) apply to foreign currency?

1. If a U.S. taxpayer hedges the foreign currency exposure of a foreign subsidiary through a forward exchange contract, should gain or loss attributable to the contract be ordinary or should it be capital? Should the character of the gain or loss depend on whether the contract is performed, sold or exchanged, or cancelled with compensation?

2. If a creditor recognizes foreign exchange gain or loss on repayment of a foreign currency loan, what rules should determine the character of the gain or loss? Should the gain or loss be treated as an adjustment of interest income?

3. If a borrower recognizes foreign exchange gain or loss on repayment of a foreign currency loan, what rules should determine the character of the gain or loss? Should the gain or loss be treated as an adjustment of interest expense? As gain or loss on a short sale?

C. *Source.* Should foreign exchange gains and losses be domestic source or should they be foreign source?

1. If foreign exchange gain is recognized by a creditor on repayment of a foreign currency loan, what rules should determine the source of such gain? If a loss is recognized, how should that loss be allocated or apportioned?

2. How should analogous gains and losses of a borrower on repayment of a foreign currency loan be sourced?

3. What source rules should determine the source of gain or loss recognized under alternative methods (e.g., performance, sale or exchange, cancellation with compensation) of terminating the rights and obligations under forward contracts to buy or sell foreign currency?

4. Should the source of a foreign exchange gain or loss be determined on a transaction-by-transaction basis? If source should be determined by reference to an underlying or related transaction, what rules should be used to identify such transactions? Should foreign exchange gains or losses on part or all of a taxpayer's transactions be combined, and the net gain or loss attributed entirely to either domestic source or foreign source? Apportioned between the two? What would be the basis of such an apportionment?

II. Taxpayer Keeping Accounts in Foreign Currency.

A. *Branches.* Does a profit-and-loss method or a net-worth method (see Example 2 below) ordinarily result in a more accurate measure of the taxable income of a foreign branch which transacts its business and keeps its accounts in a foreign currency?

1. If one method is more accurate than the other, are there nonetheless reasons why a taxpayer should be able to elect either method?

2. Are the rules promulgated in Revenue Rulings 75-106 and 75-107 satisfactory in implementing a net-worth and a profit-and-loss method, respectively? If not, what changes should be made?

B. *Subsidiaries.* How should the earnings and profits and section 902 accumulated profits in excess of foreign taxes be computed for a foreign subsidiary which keeps its accounts and transacts its business in a foreign currency?

1. Should a foreign corporation's earnings and profits and section 902 accumulated profits in excess of foreign taxes invariably include foreign exchange gain or loss? If not, when should such gain or loss be excluded? If such gain or loss is to be included, would the regulations issued under section 964 provide a satisfactory method of computing such gain or loss? If not, what changes in those regulations would be desirable?

2. Should earnings and profits for purposes of section 951-964 (Subpart F) invariably be computed under the same rules as are used in calculating dividend income? If not, when and how should the rules differ?

C. *Transactions in Dollars or Third-Country Currencies.* If a foreign branch or subsidiary keeps its accounts in a foreign currency, what rules should determine the recognition, character, and source of the gain or loss on transactions involving dollars? Should those same rules apply to transactions in third-country currencies?

III. Amount of Foreign Income Tax.

A. *Payment vs. Accrual.* If a foreign exchange rate fluctuates between the accrual and the payment of a foreign income tax liability denominated in a foreign currency, how should the amount of foreign tax credit be calculated? Should the amount of taxable income or accumulated profits reflect the adjustment in the amount of tax?

B. *"Deemed Paid" Credit.* What exchange rates should be used in translating the numerator, denominator, and multiplicand in calculating the "deemed paid" credit under section 902? Under section 960?

IV. *Special Treatment of Certain Groups of Taxpayers.* Should uniform rules apply to all taxpayers? Or do certain groups merit special treatment?

A. Should the rules applied to other taxpayers for calculating taxable income and income taxes paid apply to individuals as well?

B. Do any industries (e.g., banking, insurance) merit special treatment not applicable to other taxpayers? If so, how should the industries be defined? What special rules are required?

Examples

The following hypothetical examples are intended to illustrate some conceptual issues raised by fluctuations in the value of foreign exchange against the U.S. dollar. Each, of course, could be reformulated to yield different numerical results. Commentators may wish to modify these examples or to develop others to illustrate additional issues.

Example 1

Suppose a U.S. lender has \$300. \$100 is lent to a U.S. borrower for one year at 10 percent per annum. \$100 is converted into Swiss francs and lent to a Swiss borrower for one year at 3 percent per annum; \$100 is converted into Spanish pesetas and lent to a Spanish borrower for one year at 20 percent per annum. The lender does not hedge either foreign currency loan. Each loan and the interest thereon is to be repaid in foreign currency.

At the end of one year, interest and principal on all three loans are paid. Because of foreign exchange fluctuations, the lender's economic gain is as follows:

(In percent)				
Currency of loan	Appreciation ¹	Interest plus	Foreign exchange ²	Total ⁴
Dollar.....	(9)	10	0	10
Swiss franc.....	+15	3+.45	15	18.45
Spanish peseta....	-15	20-3	-15	2

¹ Or depreciation of currency during year against dollar.

² Foreign exchange gain on interest as percent of original principal.

³ Gain or loss on original principal as percent of original principal.

⁴ Gain as percent of original principal.

⁵ No change.

How much income should the taxpayer recognize? What is its character and source?

Suppose the lender at the beginning of the year had hedged the foreign currency exposure by entering forward exchange contracts to sell the anticipated foreign currency proceeds from the repayment of interest and principal at the end of the year. Because of "covered interest rate arbitrage," the forward exchange rate at the beginning of the year for Swiss francs to be delivered at the end of the year might have been 6.8 percent higher than the spot rate at the beginning of the year, whereas the forward rate for Spanish pesetas might have been 8.3 percent lower than the spot rate at the beginning of the year. This forward premium on

Swiss francs and forward discount on Spanish pesetas would assure that the net rate of return (i.e., interest plus foreign exchange gain or loss on repayment of principal plus the gain or loss on the forward exchange contract) on each foreign currency loan would be 10 percent per annum, the same as the interest rate on dollars. What should be the tax consequences of such covered lending?

Example 2

On December 31, 1978, a U.S. corporation advances to the account of a foreign branch or subsidiary 500 francs, which were purchased on that date for \$100 (i.e., the exchange rate was \$.20/franc). In 1979, the branch or subsidiary engages in the following transactions:

Date	Exchange rate (franc)	Event
3/30/79....	\$0.21	Purchase inventory for 500 francs.
6/30/79....	.22	Sell inventory for 600 francs.
9/30/79....	.23	Convert 30 francs into \$6.90 and remit to head office or parent corporation.
12/31/79..	.24	Year ends.

Under a "separate transactions" method, the taxpayer might recognize for tax purposes a foreign exchange gain of \$5 when the 500 francs in which it had a basis of \$100 were exchanged for inventory worth \$105. The sale of the inventory would yield net gain of \$27, the difference between the 600 francs received, which at \$.22/franc are worth \$132, and the basis in the inventory, \$105. (This \$27 can be thought of as including a \$22 profit obtained by translating the 100 franc profit at \$.22/franc, plus a \$5 foreign exchange gain attributable to the appreciation in the franc while the inventory was held.) Finally, the taxpayer would recognize a \$30 foreign exchange gain on the sale for \$6.90 of the 30 francs in which it had a basis of \$6.60. At the end of the year, the taxpayer would have total gains of \$32.30 (\$5 plus \$22 plus \$5 plus \$30). The taxpayer would also have an unrealized foreign exchange gain of \$11.40, which is equal to the 570 francs on hand at the end of the year multiplied by the \$.02/franc appreciation in the value of the franc between the time the francs were obtained from the sale of inventory and the end of the year.

Under a "profit-and-loss" method, taxable income might be determined by translating the 30 francs which were remitted to the head office at \$.23/franc, which equals \$6.90, and the remaining 70 francs of profit at the year-end rate of \$.24/franc, which equals \$16.80. Total gains would equal \$23.70, which differs from gains under the separate

transactions analysis by \$8.60. This \$8.60, in turn, equals the difference between (1) the \$10.00 in foreign exchange gain recognized under the separate transactions analysis—\$5 on the purchase and \$5 on the sale of the inventory—and (2) the \$1.40 of unrealized foreign exchange gain taken into account under the profit-and-loss method by translating the 70 francs in unremitted income at the year-end rate, \$.24/franc, rather than at the rate on the date it was earned, \$.22/franc (i.e., 70 francs at \$.02/franc equals \$1.40).

Under a "net worth" method, the balance sheet would first be translated into dollars. Assuming the 570 francs on hand at the end of the year were invested in current assets (e.g., a bank account), they would be translated at the year-end rate, \$.24/franc. The year-end value of total assets and therefore, in this example, net worth would be \$136.80, an increase of \$36.80 over the dollar value of net worth at the end of the previous year. This \$36.80 plus the \$6.90 in remitted income yields total gain of \$43.70. This exceeds gain calculated under the separate transactions analysis, \$32.30, by \$11.40, the amount of unrealized gain on current assets attributable to the appreciation in the franc between the time the current assets were acquired and the end of the year.

Example 3

Suppose that a wholly owned foreign subsidiary established in 1977 with no initial capital recorded the following profits and foreign taxes paid:

(In francs)

Year	Exchange rate	Current profits before taxes	Foreign taxes paid	Cumulative yearend foreign subsidiary profits after taxes
1977	\$0.20	100	40	60
197825	100	40	120
197940	0	0	120

On December 31, 1979, the foreign corporation distributes 100 francs, which have a fair market value of \$.40/franc, or \$40. How should the amount of the dividend, the section 902 credit, and the reduction in earnings and profits be computed?

One possibility would be to translate earnings and profits, accumulated profits in excess of foreign taxes, and foreign taxes paid at the exchange rate on the date of distribution, \$.40/franc. Under that procedure, the following results would obtain:

-- The distribution would be considered a dividend in full because its value, \$40, is less than the current value of all earnings and profits, \$48 (i.e., $(60f \times \$.40/f) + (60f \times f .40/f)$). After the distribution, 20 francs would remain in the earnings and profits account; if subsequent distributions are made, the dollar value of remaining earnings and profits would be determined by translating the 20 francs at the exchange rate on the date of such distributions.

-- The section 902 deemed paid credit would be determined as follows:

$$\begin{array}{r}
 \text{1978} \\
 \frac{60f \times \$.40/f}{60f \times \$.40/f} \quad [40f \times \$.40/f] \\
 + \quad \frac{40f \times \$.40/f}{60f \times \$.40/f} \quad [40f \times \$.40/f] = \$26.67
 \end{array}$$

A second alternative would be to translate dividend income and the dividend numerator of the deemed-paid credit fraction at the current exchange rate, to translate earnings and profits, accumulated profits in excess of foreign taxes, and taxes paid in prior years at their historical exchange rates, and to calculate earnings and profits and accumulated profits in excess of foreign taxes under a profit-and-loss method, rather than a net-worth method. Under this alternative, the following results would obtain:

-- Earnings and profits equal \$27 (i.e., $(60f \times \$.25/f) + (60f \times \$.20/f)$), so only that amount would be considered a dividend. The remaining \$13 of the \$40 distributed would be capital gain on the shares in the subsidiary (or, on other facts, a return of capital).

-- The "deemed paid" credit would equal:

1978

$$\frac{\$15}{60f \times \$.25/f} \quad [40f \times \$.25/f]$$

1977

$$+ \quad \frac{\$12}{60f \times \$.20/f} \quad [40f \times \$.20/f] = \$18$$

If the same exchange rates as above were used for translating the components of the deemed paid credit formula, but earnings and profits and accumulated profits were computed under a net worth method, then:

-- Earnings and profits would equal \$48 (in addition to the \$27 computed above, the corporation would have, if it invested its profits in current assets, a foreign exchange gain of \$3 in 1978 and \$18 in 1979). Accordingly, the \$40 distribution would be considered a dividend in full.

-- The "deemed paid" credit, would equal:

$$\begin{array}{r}
 \text{1979} \qquad \qquad \qquad \text{1978} \\
 \frac{\$18}{\$18} \quad \$0 + \frac{\$18}{(60f \times \$.25/f)} + \$3 \quad [40f \times \$.25/f] \\
 + \quad \frac{\$4}{60f \times \$.20/f} \quad [40f \times \$.20/f] = \$12.67
 \end{array}$$

Finally, if dividend income were translated at the current exchange rate, foreign income taxes were translated at historical rates, and the dividend numerator, the accumulated-profits-in-excess-of-foreign-taxes denominator, and earnings and profits were simply not translated into dollars, then:

-- The 100 franc distribution would be a dividend in full because it is less than the 120 francs of earnings and profits, and

-- The "deemed paid" credit would be:

$$\begin{array}{r}
 \text{1978} \qquad \qquad \qquad \text{1977} \\
 \frac{60f}{60f} \quad [40f \times \$.25/f] + \frac{40f}{60f} \quad [40f \times \$.20/f] = \$16.67
 \end{array}$$

[Department Circular; Public Debt Series—
No. 13-80]

**Treasury Notes of April 30, 1982;
Series R-1982**

April 17, 1980.

1. Invitation for Tenders

1.1. The Secretary of the Treasury, under the authority of the Second Liberty Bond Act, as amended, invites tenders for approximately \$4,000,000,000 of United States securities, designated Treasury Notes of April 30, 1982, Series R-1982 (CUSIP No. 912827 KQ 4). The securities will be sold at auction with bidding on the basis of yield. Payment will be required at the price equivalent of the bid yield of each accepted tender. The interest rate on the securities and the price equivalent of each accepted bid will be determined in the manner described below. Additional amounts of these securities may be issued to Government accounts and Federal Reserve Banks for their own account in exchange for maturing Treasury securities. Additional amounts of the new securities may also be issued at the average price to Federal Reserve Banks, as agents for foreign and international monetary authorities, to the extent that the aggregate amount of tenders for such accounts exceeds the aggregate amount of maturing securities held by them.

2. Description of Securities

2.1. The securities will be dated April 30, 1980, and will bear interest from that date, payable on a semiannual basis on October 31, 1980, and each subsequent 6 months on April 30 and October 31, until the principal becomes payable. They will mature April 30, 1982, and will not be subject to call for redemption prior to maturity.

2.2. The income derived from the securities is subject to all taxes imposed under the Internal Revenue Code of 1954. The securities are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, any possession of the United States, or any local taxing authority.

2.3. The securities will be acceptable to secure deposits of public monies. They will not be acceptable in payment of taxes.

2.4. Bearer securities with interest coupons attached, and securities registered as to principal and interest, will be issued in denominations of \$5,000, \$10,000, \$100,000, and \$1,000,000. Book-entry securities will be available to eligible bidders in multiples of those

amounts. Interchanges of securities of different denominations and of coupon, registered and book-entry securities, and the transfer of registered securities will be permitted.

2.5. The Department of the Treasury's general regulations governing United States securities apply to the securities offered in this circular. These general regulations include those currently in effect, as well as those that may be issued at a later date.

3. Sale Procedures

3.1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to 1:30 p.m., Eastern Standard time, Tuesday, April 22, 1980. Noncompetitive tenders as defined below will be considered timely if postmarked no later than Monday, April 21, 1980.

3.2. Each tender must state the face amount of securities bid for. The minimum bid is \$5,000 and larger bids must be in multiples of that amount. Competitive tenders must also show the yield desired, expressed in terms of an annual yield with two decimals, e.g., 7.11%. Common fractions may not be used. Noncompetitive tenders must show the term "noncompetitive" on the tender form in lieu of a specified yield. No bidder may submit more than one noncompetitive tender and the amount may not exceed \$1,000,000.

3.3. All bidders must certify that they have not made and will not make any agreements for the sale or purchase of any securities of this issue prior to the deadline established in Section 3.1. for receipt of tenders. Those authorized to submit tenders for the account of customers will be required to certify that such tenders are submitted under the same conditions, agreements, and certifications as tenders submitted directly by bidders for their own account.

3.4. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and primary dealers, which for this purpose are defined as dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions in and borrowings on such securities, may submit tenders for account of customers if the names of the customers and the amount for each customer are furnished. Others are only permitted to submit tenders for their own account.

3.5. Tenders will be received without deposit for their own account from commercial banks and other banking institutions; primary dealers, as defined above; Federally-insured savings and

loan associations; States, and their political subdivisions or instrumentalities; public pension and retirement and other public funds; international organizations in which the United States holds membership; foreign central banks and foreign states; Federal Reserve Banks; and Government accounts. Tenders from others must be accompanied by full payment for the amount of securities applied for (in the form of cash, maturing Treasury securities or readily collectible checks), or by a payment guarantee of 5 percent of the face amount applied for, from a commercial bank or a primary dealer.

3.6. Immediately after the closing hour, tenders will be opened, followed by a public announcement of the amount and yield range of accepted bids. Subject to the reservations expressed in Section 4, noncompetitive tenders will be accepted in full, and then competitive tenders will be accepted, starting with those at the lowest yields, through successively higher yields to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After the determination is made as to which tenders are accepted, a coupon rate will be established, on the basis of a $\frac{1}{8}$ of one percent increment, which results in an equivalent average accepted price close to 100.000 and a lowest accepted price above the original issue discount limit of 99.500. That rate of interest will be paid on all of the securities. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price equivalent to the yield bid. Those submitting noncompetitive tenders will pay the price equivalent to the weighted average yield of accepted competitive tenders. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. If the amount of noncompetitive tenders received would absorb all or most of the offering, competitive tenders will be accepted in an amount sufficient to provide a fair determination of the yield. Tenders received from Government accounts and Federal Reserve Banks will be accepted at the price equivalent to the weighted average yield of accepted competitive tenders.

3.7. Competitive bidders will be advised of the acceptance or rejection of their tenders. Those submitting noncompetitive tenders will only be notified if the tender is not accepted in full, or when the price is over par.

4. Reservations

4.1. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders in whole or in part, to allot more or less than the amount of securities specified in Section 1, and to make different percentage allotments to various classes of applicants when the Secretary considers it in the public interest. The Secretary's action under this Section is final.

5. Payment and delivery

5.1. Settlement for allotted securities must be made at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt, wherever the tender was submitted. Settlement on securities allotted to institutional investors and to others whose tenders are accompanied by a payment guarantee as provided in Section 3.5., must be made or completed on or before Wednesday, April 30, 1980. Payment in full must accompany tenders submitted by all other investors.

Payment must be in cash; in other funds immediately available to the Treasury; in Treasury bills, notes or bonds (with all coupons detached) maturing on or before the settlement date but which are not overdue as defined in the general regulations governing United States securities; or by readily collectible check drawn to the order of the institution to which the tender was submitted, which must be received at such institution no later than Friday, April 25, 1980. When payment has been submitted with the tender and the purchase price of allotted securities is over par, settlement for the premium must be completed timely, as specified in the preceding sentence. When payment has been submitted with the tender and the purchase price of allotted securities is under par, the discount will be remitted to the bidder. Settlement will not be considered complete where registered securities are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished.

5.2. In every case where full payment has not been completed on time, an amount of up to 5 percent of the face amount of securities allotted, shall, at the discretion of the Secretary of the Treasury, be forfeited to the United States.

5.3. Registered securities tendered in payment for allotted securities are not required to be assigned if the new securities are to be registered in the same names and forms as appear in the registrations or assignments of the

securities surrendered. When the new securities are to be registered in names and forms different from those in the inscriptions or assignments of the securities presented, the assignment should be to "The Secretary of the Treasury for (securities offered by this circular) in the name of (name and taxpayer identifying number)." If new securities in coupon form are desired, the assignment should be to "The Secretary of the Treasury for coupon (securities offered by this circular) to be delivered to (name and address)." Specific instructions for the issuance and delivery of the new securities, signed by the owner or authorized representative, must accompany the securities presented. Securities tendered in payment should be surrendered to the Federal Reserve Bank or Branch or to the Bureau of the Public Debt, Washington, D.C. 20226. The securities must be delivered at the expense and risk of the holder.

5.4. If bearer securities are not ready for delivery on the settlement date, purchasers may elect to receive interim certificates. These certificates shall be issued in bearer form and shall be exchangeable for definitive securities of this issue, when such securities are available, at any Federal Reserve Bank or Branch or at the Bureau of the Public Debt, Washington, D.C. 20226. The interim certificates must be returned at the risk and expense of the holder.

5.5. Delivery of securities in registered form will be made after the requested form of registration has been validated, the registered interest account has been established, and the securities have been inscribed.

6. General Provisions

6.1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive tenders, to make allotments as directed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of securities on full-paid allotments, and to issue interim certificates pending delivery of the definitive securities.

6.2. The Secretary of the Treasury may at any time issue supplemental or amendatory rules and regulations governing the offering. Public announcement of such changes will be promptly provided.

Supplementary Statement; the announcement set forth above does not meet the Department's criteria for significant regulations and, accordingly, may be published without compliance with the

Departmental procedures applicable to such regulations.

Paul H. Taylor,

Fiscal Assistant Secretary.

[FR Doc. 80-12301 Filed 4-18-80; 8:45 am]

BILLING CODE 4810-40-M

Sunshine Act Meetings

Federal Register

Vol. 45, No. 78

Monday, April 21, 1980

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

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1

COMMODITY FUTURES TRADING COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Vol. 45, No. 70, April 9, 1980, p. 24299.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 11 a.m., Friday, April 18, 1980.

CHANGES IN THE MEETING: Addition to the meeting—Enforcement Matter.

[S-792-80 Filed 4-17-80; 3:39 pm]

BILLING CODE 6351-01-M

2

FEDERAL ENERGY REGULATORY COMMISSION.

April 16, 1980.

TIME AND DATE: 10 a.m., April 23, 1980.

PLACE: Room 9306, 825 North Capitol Street NE., Washington, D.C. 20426.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

Note.—Items listed on the agenda may be deleted without further notice.

CONTACT: Kenneth F. Plumb, Secretary, telephone (202) 357-8400.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the agenda; however, all public documents may be examined in the division of Public Information.

Power Agenda—447th Meeting, April 23, 1980, Regular Meeting (10 a.m.)

CAP-1. Project No. 1889, Western Massachusetts Electric Co.

CAP-2 Project No. 199, South Carolina Public Service Authority.

CAP-3. Docket No. E-7777 (II), Pacific Gas & Electric Co.; Docket No. E-7796, Pacific Power & Light Co.

CAP-4. Docket No. ER79-182, Commonwealth Edison Co.

CAP-5. Docket No. ER78-380, Indiana & Michigan Electric Co.

CAP-6. Docket No. ER 78-517, Connecticut Light & Power Co.

CAP-7. Docket No. ER78-355, Lockhart Power Co.

CAP-8. Docket No. ER79-537, Lockhart Power Co.

CAP-9. Docket Nos. E-9502 and E-8494, Minnesota Power & Light Co.

Miscellaneous Agenda—447th Meeting, April 23, 1980, Regular Meeting

CAM-1. Docket No. RM80-2, Discontinuance of the use of form Nos. 3, 3A, 3P, 40 and 82.

CAM-2. Docket No. RA79-33, Robert E. Brain & Cooper and Brain, Inc.

CAM-3. Docket No. RA80-24, Best-Way Marketing.

Gas Agenda—447th Meeting, April 23, 1980, Regular Meeting

CAG-1. Docket No. TA80-2-47 (PGA80-2), McCulloch Interstate Gas Corp.

CAG-2. Docket No. TA80-1-48 (PGA80-1a), (IPR80-1a), Michigan Wisconsin Pipe Line Co.

CAG-3. Docket No. TA80-2-48 (PGA80-2), (IPR80-2), (LFUT80-1), Michigan Wisconsin Pipe Line Co.

CAG-4. Docket No. RP80-1, Hampshire Gas Co.

CAG-5. Docket No. RP75-73, Texas Eastern Transmission Corp.

CAG-6. FERC Gas Rate Schedule No. 5, Dorchester Exploration, Inc.

CAG-7. Docket No. R180-10 and CS71-56, Leben Oil Corporation.

CAG-8. Docket Nos. CP78-123 et al., Northwest Alaskan Pipeline Co., et al.

CAG-9. Docket Nos. CP77-1, CP76-297, CP76-274, CP76-121, CP75-271 and CP74-92, McCulloch Interstate Gas Corp.; Docket Nos. CP76-494 and CP74-62, Colorado Interstate Gas Co.; Docket Nos. CP76-259 and CP74-64, Mountain Fuel Supply Corp.; Docket Nos. CI77-163 and CI77-164, McCulloch Gas Processing Corp.

CAG-10. Docket No. CP76-14, Natural Gas Pipeline Co. of America; Docket Nos. CP74-281 and CP75-301, Tennessee Gas Pipeline Co.; Docket No. CP75-329, Stingray Pipeline Co.; Docket No. CP75-367, Southern Natural Gas Co. and Mid Louisiana Gas Co.

CAG-11. Docket No. CP78-208, Arkansas Louisiana Gas Co.

CAG-12. Docket No. CP78-300, Texas Gas Transmission Corp.

CAG-13. Docket No. CP80-221, Panhandle Eastern Pipe Line Co.

CAG-14. Docket No. CP80-110, Locust Ridge Gas Co.

CAG-15. Docket No. CP80-62, Texas Eastern Transmission Corp. and Tennessee Gas Pipeline Co., a Division of Tenneco Inc.

CAG-16. Docket No. CP80-24, Transcontinental Gas Pipe Line Corp.

CAG-17. Docket No. CP79-501, Gas Gathering Corp.

Power Agenda—447th Meeting, April 23, 1980, Regular Meeting

I. Electric Rate Matters

ER-1. Docket No. ER80-206, Florida Power Corp.

ER-2. Docket No. ER80-262, Southern Company Services, Inc.

ER-3. Docket Nos. ER79-528 and ER80-153, Cincinnati Gas & Electric Co.

ER-4. Docket Nos. ER77-488 and ER78-520 (phase I), El Paso Electric Co.

ER-5. Docket Nos. ER77-411 et al., and ER77-23 et al., Illinois Power Co.

Miscellaneous Agenda—446th Meeting, April 23, 1980, Regular Meeting

M-1. Docket No. RM79-28, amendments to Part 32 of the regulations under the Federal Power Act; regulation governing interchange energy transmission rates for section 202(c) emergencies.

M-2. Reserved.

M-3. Reserved.

M-4. Docket No. RM80-33, Termination of Various Rulemakings.

M-5. Docket No. RM80-16, disclosed estimation methodology approach for determination of volumes of natural gas used for exempt purposes under the incremental pricing program.

M-6. Docket No. RM80-10, rule required under section 202 of the Natural Gas Policy Act of 1978.

M-7. Docket No. RM80-24, permanent rule defining small existing industrial boiler fuel users exempt from incremental pricing under the Natural Gas Policy Act of 1978.

M-8. Docket No. RM80-21, regulations under section 110 of the Natural Gas Policy Act of 1978.

M-9. Docket No. RM80-47, final subpart K of part 271 regulations under the Natural Gas Policy Act of 1978.

M-10. Docket No. RM80-8, bona fide offers; right of first refusal.

M-11. Docket No. RM80-11, distributor access to Outer Continental Shelf gas.

M-12. Docket No. RM80-20, report of gas supply and requirements: FERC from No. 16.

M-13. Docket No. RM80- , impermissible pricing provisions.

M-14. Docket No. RM80- , blanket certificate authorization for certain new sales of committed or dedicated natural gas.

M-15. Docket No. RM80-32, Seaboard United rulemaking—cost allocation and rate design.

M-16. Docket No. RM78-4, proposal by the Federal Energy Regulatory Commission

relating to the incorporation of compensation provisions in curtailment plans.

M-17. (A) Docket No. RM78-23 (phase II), State of Louisiana first use tax in pipeline rate cases; (B) Docket No. RM78-23, State of Louisiana first use tax in pipeline rate cases.

M-18. Docket No. RM80- , revision of filing requirements of part 273 of the Commission's regulations.

Gas Agenda—446th Meeting, April 23, 1980, Regular Meeting

I. Pipeline Rate Matters

RP-1. Docket Nos. RP77-98 and RP78-78, Natural Gas Pipeline Co. of America.
RP-2. Docket No. SA80-95, Peoples Natural Gas Division of Northern Natural Gas Co.; Docket No. SA80-97, Public Service Co. of North Carolina, Inc.; Docket No. SA80-99, Carolina Pipeline Co.; Docket No. SA80-100, North Carolina Natural Gas Corp.; Docket No. SA80-101, Piedmont Natural Gas Co., Inc.; Docket No. SA80-102, Minnesota Gas Co.; Docket No. SA80-103, United Cities Gas Co.; Docket No. SA80-104, Hutchinson Utilities Commission; Docket No. SA80-105, Berkshire Gas Co.; Docket No. SA80-106, Northern Natural Gas Co.

II. Producer Matters

CI-1. Docket No. RI-75-112, certain producer and pipeline respondents.

III. Pipeline Certificate Matters

CP-1. Docket Nos. CP75-104 et al., high island offshore system; Docket No. CP76-118, U-T offshore system.

CP-2. Docket Nos. CP78-123 et al., Northwest Alaskan Pipe Line Co. et al. (northern border pre-build).

Kenneth F. Plumb,

Secretary.

[S-790-80 Filed 4-17-80; 2:46 pm]

BILLING CODE 6450-85-M

3

[USITC SE-80-24]

INTERNATIONAL TRADE COMMISSION.

TIME AND DATE: 10:00 a.m., Thursday, May 1, 1980.

PLACE: Room 117, 701 E Street NW., Washington, DC 20436.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agenda.
2. Minutes.
3. Ratifications.
4. Petitions and complaints, if necessary.

5. Carbon steel products from the EC (Inv. 731-TA-18-24)—briefing [at 10:00 a.m.] and vote [at 3:00 p.m.].

6. Any items left over from previous agenda.

CONTACT PERSON FOR MORE INFORMATION: Kenneth R. Mason, Secretary (202) 523-0161.

[S-791-80 Filed 4-17-80; 3:39 pm]

BILLING CODE 7020-02-M

4

LEGAL SERVICES CORPORATION. (Board of Directors Meeting).

TIME AND DATE: 9 a.m.-5 p.m., Thursday and Friday, May 1-2, 1980.

PLACE: Rivermont Holiday Inn, Rivermont Club Room, 200 West Georgia Avenue at Riverside Drive, Memphis, Tennessee.

STATUS: Open meeting.

MATTERS TO BE CONSIDERED:

1. Adoption of Agenda.
2. Approval of Minutes of December 6, 1979 Meeting.
3. Report on 1981 Congressional Reauthorization and Appropriation.
4. Report from Committee on Provision of Legal Services.
- Section 1007(h) Elderly and Handicapped Report.
- Delivery Systems Study Report.
5. Planning for the 1980's: the Board's discussion of future funding and policy issues.
6. President's Report.
7. Future Meeting Dates.
8. Other Business.

CONTACT PERSON FOR MORE INFORMATION: Dellanor Young, Office of the President, telephone, (202) 272-4040.

Issued: April 16, 1980.

Dan J. Bradley,
President.

[S-786-80 Filed 4-16-80; 4:14 pm]

BILLING CODE 6820-35-M

5

NATIONAL CREDIT UNION ADMINISTRATION.

TIME AND DATE: 10 a.m., Wednesday, April 23, 1980.

PLACE: Sixth floor conference room 6561, 1776 G Street, N.W., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Review of Central Liquidity Facility Lending Rates.
2. Report on actions taken under delegations of authority.
3. Applications for charters, amendments to

charters, bylaw amendments, mergers as may be pending at that time.

RECESS: 10:15 a.m.

TIME AND DATE: 10:30 a.m., Wednesday, April 23, 1980.

PLACE: Sixth floor conference room 6561, 1776 G Street, N.W., Washington, D.C.

STATUS: CLOSED.

MATTERS TO BE CONSIDERED:

1. Requests from federally insured credit unions for special assistance under Section 208 of the Federal Credit Union Act. Closed pursuant to exemption (8) and (9)(A)(ii).
2. Administrative Actions under Section 206 of the Federal Credit Union Act. Closed pursuant to exemptions (6), (8), (9)(A)(ii), and (10).
3. Administrative Actions under Section 120 of the Federal Credit Union Act. Closed pursuant to exemptions (8), (9)(A)(ii), and (10).
4. Mergers. Closed pursuant to exemptions (8) and (9)(A).
5. Fiscal Year 1980 Travel and Transportation Expense Budget. Closed pursuant to exemption (9)(B).
6. Personnel Actions. Closed pursuant to exemption (6).

CONTACT PERSON FOR MORE INFORMATION: Rosemary Brady, Secretary of the Board, telephone (202) 357-1100.

[S-789-80 Filed 4-17-80; 11:51 am]

BILLING CODE 7535-01-M

6

NATIONAL MEDIATION BOARD.

TIME AND DATE: 2 p.m., Wednesday, May 7, 1980.

PLACE: Board hearing room, eighth floor, 1425 K Street NW., Washington, D.C.

STATUS: Open.

MATTERS TO BE CONSIDERED:

- (1) Ratification of Board actions taken by notation voting during the month of April.
- (2) Other priority matters which may come before the Board for which notice will be given at the earliest practicable time.

SUPPLEMENTARY INFORMATION: Copies of the monthly report of the Board's notation voting actions will be available from the Executive Secretary's Office following the meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Rowland K. Quinn, Jr., Executive Secretary, telephone: (202) 523-5920.

Date of notice: April 16, 1980.

[S-788-80 Filed 4-17-80; 11:51 am]

BILLING CODE 7550-01-M

7

PAROLE COMMISSION.

TIME AND DATE: 9:30 a.m., Thursday,
April 17, 1980.

PLACE: Room 826A, 320 First Street,
NW., Washington, D.C. 20537.

STATUS: Closed pursuant to a vote to be
taken at the beginning of the meeting.

MATTERS TO BE CONSIDERED: Referrals
from Regional Commissioners of
approximately 8 cases in which inmates
of Federal prisons have applied for
parole or are contesting revocation of
parole or mandatory release.

**CONTACT PERSON FOR MORE
INFORMATION:** Linda Wines Marble,
Analyst (202) 724-3094.

[S-787-80 Filed 4-17-80; 11:15 am]

BILLING CODE 4410-01-M

Federal Register

**Monday
April 21, 1980**

Part II

Environmental Protection Agency and Department of Justice

**State and Federal Administrative
Enforcement of Implementation Plan
Requirements; N.L. Industries, Inc.,
Sayreville, New Jersey; and Notice of
Proposed Consent Decrees**

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 65

[FRL 1449-3]

State and Federal Administrative Enforcement of Implementation Plan Requirements After Statutory Deadlines; Proposed Delayed Compliance Order for N.L. Industries, Inc., Sayreville, N.J.

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: EPA proposes to issue a delayed compliance order ("DCO") under Section 113(d)(4) of the Clean Air Act, ("the Act"), requiring N.L. Industries, Inc. to bring the emissions from its Sayreville, New Jersey facility into compliance with the New Jersey State Implementation Plan regulations for the control of particulate matter and sulfur dioxide. Because N.L. Industries, Inc. ("NL") is unable to comply with these regulations at this time and NL will use a new means of emission limitation to achieve compliance with the regulations, the proposed DCO would establish a compliance schedule requiring compliance by May 31, 1980. If the order is issued by EPA, it would insulate the source from further federal enforcement action under Section 113 of the Act and from citizen enforcement action under Section 304 of the Act for violations of the regulations covered by the order during the period the order is in effect and the source is complying with its terms. The purpose of this notice is to invite public comment and to offer an opportunity to request a public hearing on the proposed order.

DATES: Written comments and written requests for a public hearing must be received on or before May 21, 1980.

ADDRESSES: Comments and requests for a public hearing should be submitted to Kenneth Eng, Section Chief, Permits Administration Branch, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, New York, New York 10007. Material supporting the delayed compliance order and public comments received in response to this notice may be inspected and copied (for appropriate charges) at this address during normal business hours.

FOR FURTHER INFORMATION CONTACT: Samuel P. Moulthrop, Esq., Enforcement Division, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, New York, New York 10007, telephone number (212) 264-1196.

SUPPLEMENTARY INFORMATION: N.L. Industries, Inc. ("NL") owns and operates a titanium dioxide manufacturing plant at Sayreville, New Jersey. On December 28, 1978 the U.S. Environmental Protection Agency ("EPA") issued Notice of Violation No. 90113 to NL for violations of the applicable state particulate emission at the plant's digestion tanks. Subsequently, NL applied to EPA for a delayed compliance order to be issued to the company pursuant to Section 113(d)(4) of the Clean Air Act, as amended, 42 U.S.C. § 7413(d)(4), ("the Act") in order to implement a new digestion process which would eliminate excess particulate emissions at digestion tanks 19 and 20. NL represented that the new process, called liquid phase digestion ("LPD"), would constitute a "new means of emission limitation" within the meaning of Section 113(d)(4) of the Act and requested that the time for compliance be extended.

NL also represented that LPD would have other beneficial non-air quality environmental effects.

After a thorough investigation and evaluation, EPA has determined that the company's proposed LPD process does constitute a "new means of emission limitation" within the meaning of Section 113(d)(4) of the Act and that all other requirements of Section 113(d)(4) have been met. EPA, therefore, proposes to issue a DCO which requires final compliance with the New Jersey particulate standard (N.J.A.C. 7:27-6.2) at digestion tanks 19 and 20 by May 31, 1980. The company has consented to the terms of the DCO.

If the order issued, source compliance with its terms would preclude further EPA enforcement action under Section 113 of the Act against the source for violations of the regulation covered by the order during the period the order is in effect. Enforcement against the source under the citizen suit provisions of the Act (Section 304) would be similarly precluded.

This proposed DCO is a part of a comprehensive program of compliance with the NJSIP at the NL plant. Compliance at other sources within the plant will be required in accordance with schedules set forth in a proposed consent decree to be entered in U.S. District Court between the New Jersey Department of Environmental Protection, NL, and the EPA.

Comments received by the date specified above will be considered in determining whether EPA should issue the DCO. Testimony given at any public hearing concerning the DCO will also be considered. Final action on the DCO will be published in the **Federal Register**.

All requests for a public hearing should be accompanied by a statement as to why the hearing would be beneficial and a text or summary of any proposed testimony to be offered at the hearing. If there is significant public interest in a hearing, it will be held after thirty days prior notification has been provided to those persons who have submitted written comments or requests for a hearing. No further notice of a hearing will be provided in this publication.

In consideration of the foregoing, it is proposed to amend 40 CFR Chapter 1, as follows:

1. By amending § 65.350, Federal delayed compliance orders issued under Section 113(d)(1), (3) and (4) of the Act, to reflect issuance of the following order.

(42 U.S.C. §§ 7413 and 7601)

Dated: March 2, 1980.

Richard Dewling,

Acting Regional Administrator, Region II.

[Delayed Compliance Order Index No. 90113]

Findings

1. N.L. Industries, Inc. ("NL") owns and operates a titanium dioxide manufacturing facility at Chevalier Avenue, Sayreville, New Jersey.

2. On December 28, 1978 the United States Environmental Protection Agency ("EPA") issued Notice of Violation Index No. 90113 pursuant to Section 113(a)(1) of the Clean Air Act, as amended, 42 U.S.C. § 7401 *et seq.* ("the Act"), to NL. The Notice of Violation was issued upon a finding that emissions from the digesters at NL's Sayreville, New Jersey facility were in violation of N.J.A.C. 7:27-6.2(a), a regulation limiting the emission of particulate matter. Said regulation is a part of the New Jersey State Implementation Plan ("NJSIP") for the area in which NL's facility is located.

3. NL currently manufactures titanium dioxide in batches by the sulfate process. In this process a violent exothermic reaction occurs. During the reaction entrained particulate matter is expelled with the exhaust gases.

4. To reduce particulate emissions from the digesters, NL has proposed a new process for manufacturing titanium dioxide. The new process, liquid phase digestion ("LPD"), eliminates the violent reaction which has caused excessive particulate emissions.

5. NL has requested that LPD be considered a new means of emission limitation and that a delayed compliance order ("DCO") pursuant to Section 113(d)(4) of the Act, 42 U.S.C. § 7413(d)(4), be issued.

6. A thorough investigation and analysis of all relevant facts indicates that NL is unable to comply immediately and that use of this new means of emission limitation will enable NL to comply with N.J.A.C. 7:27-6.2.

7. After investigation, EPA has determined that:

a) The use of LPD is a new means of emission limitation within the meaning of 42

U.S.C. § 7413(d)(4)(A) and that LPD is likely to be adequately demonstrated upon expiration of this Order; and

b) NL is not likely to use this new means of emission limitation unless this Order is issued; and

c) The use of LPD has a substantial likelihood of achieving greater continuous emission reduction than the means of emission limitation which, but for this Order, would be required; and

d) The use of LPD will achieve emission reductions at a lower economic cost, will have other beneficial non-air quality environmental impacts, and will have smaller energy requirements than the means of emission limitation which would otherwise be required; and

e) Compliance by NL with the NJSIP is impracticable prior to or during installation of LPD; and

f) Interim emission reduction requirements are not practicable and monitoring requirements are not appropriate prior to or during installation of LPD.

8. The EPA has determined that NL can, by meeting the terms of this Order, be in final compliance by May 31, 1980. The EPA has determined that the schedule embodied herein will provide for compliance as expeditiously as is practicable.

9. Public notice, opportunity for a public hearing, and thirty days notice to the State of New Jersey have been provided.

Order

Based upon the foregoing, after consideration of public comment, and pursuant to Section 113(d)(4) of the Act, It Is Hereby Ordered:

That NL shall implement its program for the reduction of particulate emissions from the digesters at its Sayreville, New Jersey facility by converting and replacing existing digestion tanks Nos. 19 and 20 and installing new equipment to form the expanded liquid phase digestion prototype ("expanded LPD prototype"), which will comply with N.J.A.C. 7:27-6.2, N.J.A.C. 7:27-7.2, and N.J.A.C. 7:27-8.3, in accordance with the following schedule:

A. NL shall complete design work for the conversion of existing digestion tanks Nos. 19 and 20 no later than March 15, 1980.

B. NL shall submit to the New Jersey Department of Environmental Protection ("DEP") applications sufficient to obtain Permits to Construct, Install, or Alter Control Apparatus, or Equipment and Certificates to Operate Pollution Control Apparatus or Equipment pursuant to N.J.S.A. 26:2C-9.2 and regulations promulgated thereunder with respect to said expanded LPD prototype no later than March 15, 1980.

C. NL shall order major equipment and materials necessary to make the conversion no later than April 1, 1980.

D. NL shall commence construction work and fabrication of equipment and necessary structures no later than December 15, 1979.

E. NL shall complete construction and installation of the expanded LPD prototype no later than May 31, 1980.

F. NL shall achieve full compliance with N.J.A.C. 7:27-6.2, N.J.A.C. 7:27-7.2 and N.J.A.C. 7:27-8.3 at the expanded LPD

prototype and perform stack tests of particulate and sulfur dioxide emissions and sulfuric acid mist no later than May 31, 1980.

G. NL shall submit to the EPA and the DEP a test report setting out the stack testing results no later than June 30, 1980.

II. A. Stack tests required by the terms of this Order, with respect to any part of the expanded LPD prototype which emits particulate matter, sulfur dioxide, or sulfuric acid mist into the outdoor atmosphere through one or more stacks, shall be performed with the expanded LPD prototype operating at maximum rated capacity for compliance determinations.

B. Stack tests called for by the terms of this Order shall be performed in accordance with the following testing procedures:

1. Testing of sulfur dioxide emissions and sulfuric acid mist shall be performed in accordance with the applicable testing protocol set forth in Appendix A to 40 CFR Part 60 or any modification thereof which is acceptable to EPA, DEP, and NL.

2. Testing of particulate emissions shall be performed in accordance with the DEP testing method set forth at N.J.A.C. 7:27B-1.1 *et seq.* (Air Test Method 1) or any modification thereof which is acceptable to EPA, DEP, and NL.

3. For tests required by the terms of this Order NL shall notify EPA and DEP of the scheduled testing dates at least 15 days prior to such tests in order to provide EPA and DEP the opportunity to observe them.

III. NL shall report in writing to the EPA and DEP as to its compliance with any interim or final action required herein, within ten (10) days after compliance with any such action is required by the terms of this Order. Said reports shall be submitted to:

Chief, Environmental Applications Section,
Permits Administration Branch, United
States Environmental Protection Agency,
Region II, 26 Federal Plaza, New York, New
York 10007.

Supervisor of Compliance Review, Bureau of
Air Pollution Control, New Jersey
Department of Environmental Protection,
CN 027, Trenton, New Jersey 08625.

This provision shall not have the effect of extending the time within which compliance with any interim or final action, including the submission of reports of stack test results, is required.

IV. Compliance with the terms of this Order shall not affect the obligation of NL to comply with any provision or requirement of the Clean Air Act, as amended, 42 U.S.C. § 7401 *et seq.* ("the Act"), N.J.S.A. 26:2C-1 *et seq.*, or regulations promulgated thereunder, or of any other applicable federal, state, or local law or regulation, except as otherwise provided herein. This Order shall be terminated in accordance with Section 113(d)(8) of the Act if the Administrator (or his delegate) determines on the record, after notice and hearing, that an inability to comply with N.J.A.C. 7:27-6.2 no longer exists.

V. Violation of any requirement of this Order may result in one or more of the following actions:

A. Enforcement of such requirement pursuant to Section 113 (a), (b), or (c) of the

Act, including possible judicial action for an injunction or criminal prosecution.

B. Revocation of this Order, after notice and opportunity for a public hearing, and subsequent enforcement of N.J.A.C. 7:27-6.2(d) in accordance with the preceding paragraph.

C. If such violation continues beyond July 1, 1980, notice of noncompliance and subsequent action pursuant to Section 120 of the Act.

D. Enforcement of such requirement under the terms of the Consent Decree between NL, EPA, and DEP to be proposed relating to emissions from the calciners and digesters at the Sayreville plant.

Administrator, U.S. Environmental Protection Agency

Date: _____

Consent

The undersigned, having full authority to represent N.L. Industries, Inc. has read the foregoing Order, believes it to be reasonable, and therefore consents to both its issuance and its terms.

Dated: February 20, 1980.

Fred W. Montanari,

Vice President for N.L. Industries, Inc.

[FR Doc. 80-12048 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M

DEPARTMENT OF JUSTICE

**Proposed Consent Decrees in Action
To Enjoin Discharge of Air Pollutants
by N. L. Industries, Inc., at Its
Sayreville, N.J. Facility**

In accordance with Departmental policy, 28 CFR 50.7, 38 FR 19029, notice is hereby given that on April 10, 1980, two proposed consent decrees in *United States v. N.L. Industries, Inc.* (D.N.J., Civ. No. 80-1015), were lodged with the United States District Court for the District of New Jersey. The proposed consent decrees cover N.L. Industries, Inc.'s titanium dioxide manufacturing facility in Sayreville, New Jersey. One decree requires the corporation to bring its facility into compliance with requirements of the Clean Air Act by installation of control equipment and of cleaner processes for the production of titanium dioxide and provides for payment of a total civil penalty in the amount of \$1.1 million to the United States and the State of New Jersey. The other consent decree requires that the corporation reduce and finally eliminate, by December 31, 1989, the ocean dumping of certain wastes produced at its Sayreville, New Jersey facility for which it has a permit under the Marine Protection, Resources and Sanctuaries Act.

The proposed consent decrees may be examined at the office of the United States Attorney, Federal Building, 970 Broad Street, Newark, New Jersey, and at the Pollution Control Section, Land and Natural Resources Division of the Department of Justice, Room 2629, Ninth and Pennsylvania Avenue, NW., Washington, D.C. 20530. A copy of the proposed decrees may be obtained in person or by mail from Kenneth Reich, Attorney, Pollution Control Section, Land and Natural Resources Division of the Department of Justice.

The Department of Justice will receive written comments relating to the proposed consent decrees for a period of thirty (30) days from the date of this notice. Comments should be addressed to the Deputy Assistant Attorney General, Land and Natural Resources Division, Department of Justice, Washington, D.C. 20530, and should refer to *United States v. N.L. Industries, Inc.* (D.N.J., Civ. No. 80-1015), D.J. Ref. 90-5-2-1-254.

Angus Macbeth,

Deputy Assistant Attorney General, Land and Natural Resources Division.

[FR Doc. 80-12049 Filed 4-18-80; 8:45 am]

BILLING CODE 4410-01-M

Federal Register

**Monday
April 21, 1980**

Part III

Department of Housing and Urban Development

**Office of Assistant Secretary for
Neighborhoods, Voluntary Associations,
and Consumer Protection**

**Mobile Homes: Procedural and
Enforcement Ruling; Definition of
Recreational Vehicle Construction and
Safety; Proposed Standards**

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Neighborhoods, Voluntary Associations and Consumer Protection

24 CFR Part 3282

[Docket No. R-80-786]

Mobile Home Procedural and Enforcement Regulations; Definition of Recreational Vehicle

AGENCY: Assistant Secretary for Neighborhoods, Voluntary Associations and Consumer Protection, HUD.

ACTION: Interpretative bulletin.

SUMMARY: At the request of certain State agencies, HUD began, in February 1979, an investigation into the manufacture of certain units which are commonly referred to as park models. When erected on site, many of these units are 8 or more body feet in width and 32 or more body feet in length. Units of this size are subject to the standards promulgated pursuant to the National Mobile Home Construction and Safety Standards Act of 1974 (hereinafter referred to as the "Act") unless they meet the regulatory definition of a "recreational vehicle" under 24 CFR 3282.8(g). As a result of the investigation, HUD has observed certain problems in applying that definition. This bulletin is intended to clarify the definition of recreational vehicle by providing detailed interpretations as to its applicability.

DATES: Effective date: May 12, 1980.
Comments due: July 1, 1980.

ADDRESSES: Comments must be sent to the Rules Docket Clerk, Office of the General Counsel, Room 5218, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410.

FOR FURTHER INFORMATION CONTACT: John S. Mason, Director, Enforcement Division, Office of Mobile Home Standards, Room 3248, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410, (202) 755-6893. (This is not a toll free number.)

SUPPLEMENTARY INFORMATION: "Mobile home" is defined, in relevant part, at 24 CFR 3282.7(u), as a structure which when erected on site measures eight body feet or more in width and thirty-two body feet or more in length. Units of this size are subject to the Mobile Home Act. However, structures meeting the definition of recreational vehicle at 24

CFR 3282.8(g) are excluded from coverage of the Standards. In that provision, a recreational vehicle is defined as "a vehicle, regardless of size, which is not designed to be used as a permanent dwelling, and in which the plumbing, heating and electrical systems contained therein may be operated without connection to outside utilities and which are self propelled or towed by a light duty vehicle."

HUD is now providing operational guidance to assist manufacturers and others with the application of the definition. The original version of 24 CFR 3282.8(g) was issued at 41 FR 19854, on May 13, 1976. The current version resulted from an amendment issued at 41 FR 24970, on June 31, 1976. The purpose of this interpretative bulletin is to explain the criteria under which recreational vehicles and other structures are excluded from coverage of the Standards.

The present definition fails to resolve difficult questions concerning its application. For example, there is uncertainty as to the minimum size of holding tanks that would meet the requirement that the plumbing system be operable without connection to outside utilities. This bulletin would interpret the language of the definition with respect to these questions as follows:

1. The requirement that the plumbing system be operable without connection to outside utilities is being interpreted to require a fresh water supply tank, a holding tank or tanks, a water heater and a pump to pressurize the system.
2. The requirement that the heating system be operable without connection to outside utilities is being interpreted to require that the heat be produced by an on-board power source and that the heat distribution system, if there is one, be powered by an on-board power source.
3. The requirement that the electrical system be operable without connection to outside utilities is being interpreted to require that the lights and every electrical appliance supplied with the structure (except air conditioning) be capable of operation by an on-board power source.

This interpretative bulletin will become effective on May 12, 1980. HUD invites comment from interested persons on this bulletin and all aspects of § 3282.8(g) and will consider all comments received by July 1, 1980. After consideration of the comments received, HUD will publish a final adoption of this bulletin. Because this is an interpretative bulletin, it is not subject to the requirements of 5 U.S.C. 553(d) relating to delay of effective dates of rules.

In accordance with 24 CFR 3282.105, the Secretary has found that the delay that would result from issuing a notice of proposed rulemaking regarding this interpretative bulletin is contrary to the public interest. Concerned manufacturers and their employees may suffer undue economic hardship and disruption of business if this bulletin does not become effective as soon as possible. Moreover, HUD has already received a considerable amount of comment on the issues involved, and will continue to seek comments on the bulletin.

A finding of No Significant Impact under the National Environmental Policy Act of 1969 has been made in accordance with the Procedures for Protection and Enhancement of Environmental Quality. A copy of the Finding is available for inspection and copying according to HUD's rules and regulations during business hours at the Office of the Rules Docket Clerk, whose address is stated above.

This interpretation is not listed in the HUD's semiannual agenda of significant rules, published pursuant to Executive Order 12044.

Accordingly, 24 CFR 3282.8(g) is interpreted as follows:

The plumbing, heating and electrical systems of recreational vehicles are considered to be operable without connection to outside utilities under the following circumstances:

In order for the plumbing system to be operated without connection to outside utilities, it is necessary that the structure contain a fresh water supply tank with a minimum storage capacity of 40 gallons and a holding tank or tanks with a total minimum storage capacity of 40 gallons. The water system must be pressurized by a pump which is operable by an on-board power source. The unit must also be equipped with a hot water heater which has a storage capacity of at least ten gallons and is powered by an on-board source.

In order for the heating system to be operated without connection to outside utilities, it is necessary that the heat be produced by an on-board source and that the heat distribution system, e.g., forced air, be powered by an on-board power source. If the heat is produced by gas or oil, such gas or oil must be supplied by an on-board tank, bottle or bottles. If the heat is electric, there must be a generator to supply the electric power. If the system uses forced hot air to distribute the heat, the fan must be operated by an on-board battery or generator.

In order for the electrical system to be operated without connection to outside utilities, the lights and every electrical appliance supplied with the structure (except the air conditioning) must be capable of operation by an on-board power source (a generator or battery). If 12-volt lighting is provided then additional lighting not capable of operation by an on-board power source

may also be provided. General use electric receptacles may be provided even though such receptacles are not capable of operation by an on-board power source.

If the following appliances are supplied with a structure or if the structure is intended to have such appliances (as evidenced by design and manufacture of the unit and/or advertising), they must be capable of operation by an on-board power source (gas or electric): Refrigerator, range, oven, furnace, water heater, microwave oven, washing machine, dryer, dishwasher and disposal. Although these appliances must be capable of being powered by on-board sources, alternative power hookups may be provided.

(Section 625, National Mobile Home Construction and Safety Standards Act of 1974, 42 U.S.C. 5424, and Section 7(d), Department of Housing and Urban Development Act, 42 U.S.C. 3535(d))

Issued at Washington, D.C., March 20, 1980.

Patricia M. Worthy,

*Deputy Assistant Secretary and Interstate
Land Sales Administrator.*

[FR Doc. 80-12057 Filed 4-18-80; 8:45 am]

BILLING CODE 4210-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for
Neighborhoods, Voluntary
Associations and Consumer
Protection

24 CFR Part 3280

[Docket No. R-80-787]

Mobile Home Construction and Safety Standards

AGENCY: Assistant Secretary for
Neighborhoods, Voluntary Associations
and Consumer Protection, HUD.

ACTION: Advance Notice of Proposed
Rulemaking.

SUMMARY: At the request of certain
State agencies, in February 1979, HUD
began an investigation of the
manufacture of certain structures which
are commonly referred to as park
models. When erected on site, many of
these structures are 8 or more body feet
in width and 32 or more body feet in
length. These structures are subject to
the standards promulgated pursuant to
the National Mobile Home Construction
and Safety Standards Act of 1974
(hereinafter referred to as the "Act"),
unless they fall within the regulatory
definition of a recreational vehicle,
which is located at 24 CFR 3282.8(g).

Some manufacturers of these
structures have stated that it is not
possible to build them in conformance
with the Mobile Home Construction and
Safety Standards ("Standards"). As a
result, HUD is considering whether to
establish different standards for small
mobile homes. The purpose of this
Advance Notice of Proposed Rule
Making is to solicit advice and
information from interested parties to
determine whether such standards
would be necessary or appropriate, and,
if so, what they should contain.

DATES: Comments Due: June 20, 1980.

ADDRESSES: Comments must be sent to
the Rules Docket Clerk, Office of the
General Counsel, Room 5218,
Department of Housing and Urban
Development, 451 Seventh Street, SW.,
Washington, DC 20410.

FOR FURTHER INFORMATION CONTACT:

Richard A. Mendlen, Director,
Standards Division, Office of Mobile
Home Standards, Room 3248,
Department of Housing and Urban
Development, 451 Seventh Street, SW.,
Washington, DC 20410, (202) 755-6893
(this is not a toll free number).

SUPPLEMENTARY INFORMATION: The term
"mobile home" is defined, in relevant
part, at 24 CFR 3282.7(u), as a structure

which, when erected on site, measures
eight body feet or more in width and
thirty-two body feet or more in length.
However, structures meeting the
definition of recreational vehicle at 24
CFR 3282.8(g) are excluded from
coverage of the Standards. In that
section a recreational vehicle is defined
as "a vehicle, regardless of size, which
is not designed to be used as a
permanent dwelling, and in which the
plumbing, heating and electrical systems
contained therein may be operated
without connection to outside utilities
and which are self propelled or towed
by a light duty vehicle."

In February, 1979, HUD learned that
some manufacturers might be producing
structures which are eight feet by thirty-
two feet or longer when erected on site
and do not fall within the recreational
vehicle exception, but which are not
being built in compliance with the
standards. As a result, HUD conducted
an investigation during which it
subpoenaed approximately 65
manufacturers of park models. Some of
these manufacturers claimed that they
could not build such structures in
conformance with the present
Standards. For this reason HUD is
considering establishing separate
requirements for small mobile homes.

Unfortunately, many comments
claiming that it is impossible to build
small mobile homes to the Standards
have been in general terms and,
therefore, of limited use. HUD would
like to know which of the Standards, if
any, make it impracticable to build a
small mobile home which complies with
the standards. With respect to this point,
HUD needs specific comments which
include: (a) A citation to the specific
section of the Standards in question; (b)
a statement, and, if possible, supporting
data, explaining why the requirement is
impossible to meet; and (c) suggested
language for a similar requirement or
one which would accomplish the same
purpose and which would be
appropriate for application to small
mobile homes. HUD is also requesting
comment on the following:

1. What requirements, not in the
existing Standards, would be
appropriate for small mobile homes?
2. What size structures, if any, should
be governed by a different standard?

HUD Has not yet determined whether
it will have to prepare an Environmental
Impact Statement or a Regulatory
Analysis, or both.

This Advance Notice of Proposed Rule
Making is not listed in the Department's
semiannual agenda of significant rules,

published pursuant to Executive Order
12044.

This notice is being issued pursuant to
the provisions of section 604(d) of the
National Mobile Home Construction and
Safety Standards Act of 1974.

(Section 625, National Mobile Home
Construction and Safety Standards Act of
1974, 42 U.S.C. 5424, and Section 7(d),
Department of Housing and Urban
Development Act, 42 U.S.C. 3535(d)).

Issued at Washington, D.C., March 20, 1980.

Patricia M. Worthy,

Deputy Assistant Secretary and Interstate
Land Sales Administrator.

[FR Doc. 80-12058 Filed 4-18-80; 8:45 am]

BILLING CODE 4210-01-M

Federal Register

Monday
April 21, 1980

Part IV

Environmental Protection Agency

**Review of Standards of Performance For
New Stationary Sources; Electric Arc
Furnaces**

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[FRL 1415-2]

Review of Standards of Performance for New Stationary Sources; Electric Arc Furnaces (Steel Industry)

AGENCY: Environmental Protection Agency.

ACTION: Proposed Rule.

SUMMARY: EPA has reviewed its standards of performance for electric arc furnaces in the steel industry (40 CFR 60.270, Subpart AA) as required under the Clean Air Act, as amended August 1977. EPA intends to explore revising the standards to reflect demonstrated best available control technology for electric arc furnaces and would add argon-oxygen decarbonization (AOD) furnaces to the standard. Visible emission limitations would be reduced to be consistent with improved control technology.

DATES: Comments must be received by June 20, 1980.

ADDRESSES: Send comments to: Central Docket Section (A-130), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, Attention: Docket A-79-33. Comments should be submitted in duplicate if possible.

FOR FURTHER INFORMATION CONTACT: Mr. Stanley T. Cuffe, Telephone: (919) 541-5295. The document "A Review of Standards of Performance for Electric Arc Furnaces in the Steel Industry" is available upon request from Mr. Stanley T. Cuffe, (MD-13), Chief, Industrial Studies Branch, Emission Standards and Engineering Division, U.S. Environmental Protection Agency, Research Triangle Park, N.C. 27711.

SUPPLEMENTARY INFORMATION:

Background

On October 21, 1974, EPA proposed a standard under Section 111 of the Clean Air Act to control particulate matter emissions from electric arc furnaces (EAF) in the steel industry. The standard, promulgated on September 23, 1975, applies to any facility constructed or modified after October 21, 1974. The standard for particulate matter under § 60.272 limits the discharge to atmosphere from an electric arc furnace of any gases that:

1. Contain particulate matter in excess of 12 mg/dscm (0.0052 gr/dscf).
2. Exhibit 3 percent opacity or greater from a control device.

3. Exhibit greater than zero opacity from a shop, due solely to operation of any EAF(s), except:

- a. Shop opacity greater than zero percent, but less than 20 percent, may occur during charging periods.
- b. Shop opacity greater than zero percent, but less than 40 percent, may occur during tapping periods.
- c. Zero opacity from a shop shall apply only during periods when process flow rates and pressures are being monitored.
- d. Where the capture system is operated such that the roof of the shop is closed during the charge and the tap, and emissions to the atmosphere are prevented until the roof is opened after completion of the charge or tap, the shop opacity standards shall apply when the roof is opened and shall continue to apply for the length of time defined by the charging and/or tapping periods.

The standard for particulate matter also limits the discharge to atmosphere from dust handling equipment any gases which exhibit 10 percent opacity or greater.

The Clean Air Act Amendments of 1977 that require the Administrator of EPA review, establish standards of performance for new stationary sources (NSPS) at least every 4 years, and revise them as appropriate [Section 111(b)(1)(B)]. EPA has completed such a review of the standard of performance for electric arc furnaces in the steel industry and has decided to begin a project to revise the standard. EPA invites comments on this decision and on the findings on which it is based.

Findings

Industry Statistics

In 1972, there were approximately 299 EAF's in the United States. In 1977, there were approximately 303 EAF's being operated in the United States. However, about 30 EAF's were being installed between 1974 and 1979, which indicates that some older furnaces were probably shutdown and replaced. Only five of the new furnaces were subject to the standards.

Information on planned new facilities or modifications is limited by the reluctance of industry to state future plans because of current economic uncertainties. Nevertheless, EAF production should continue to increase. An EAF is flexible, can operate wholly on steel scrap, is adapted to ultrarapid melting, can make specialty steels, and can be quickly brought on line or taken off production. In addition, an EAF is relatively low in pollution potential, and emission controls are well demonstrated. These EAF advantages

are substantiated by industry statistics showing that production in 1977 was about 25.4 Mg (27.9 million tons) and 29 Mg (31.9 million tons) in 1978 versus 21.5 Mg (23.7 million tons) in 1972, when the NSPS document was being developed.

Emissions and Control Technology

The current best demonstrated control technology, the fabric filter, is the same as that used when the standards were promulgated. No major improvements in this technology have occurred during the intervening period; however, one company has installed a proprietary wet scrubber, which appears to be almost as effective as a fabric filter and meets the standards.

Although the fabric filter technology has not changed, the effectiveness of pickup systems for various process and fugitive emissions has improved significantly.

Some EAF shops are now operating with closed roofs and a controlled fugitive emission pickup system in the roof to draw any indoor emissions into the control device. This system may utilize small openings in the ductwork to draw emissions slowly out of the roof area, or it may include dampers in the openings that can be opened or closed to remove these rooftop emissions. The roof emissions include charging and tapping emissions, and those that escape the direct furnace evacuation system and the canopy hoods above the furnace. The closed-roof and fugitive emission pickup system was designed to meet some local agencies no-visible-emission requirements from an EAF shop.

Other recent technology includes total enclosure of the furnace within the EAF building. The system is designed to capture all emissions of the furnace operation cycle (meltdown, charging, tapping, and slagging). Hoods are strategically located for capture of the charging, tapping, and slagging emissions. Additionally, during the charging operation, a curtain of air is blown across the roof opening to direct the emissions into the intake duct of the control device. This system theoretically prevents almost all emissions from escaping the enclosure and building.

Another new concept for containing emissions from the EAF is a partial enclosure around the furnace. The furnace itself may be equipped with the conventional direct shell evacuation and canopy hood system, but the partial enclosure around the furnace acts as a stack to direct fugitive furnace emissions upward into the emission capture system. Separate hoods are used to capture emissions during the tapping and slagging operation. The EAF

shop roof is closed and the area above the furnace and below the canopy hood must be kept clear so that the furnace can be charged normally by a crane. The partial enclosure is large enough to allow the furnace cover to be swung over the tapping area, where it can capture emissions from the ladle pouring spout and tapping hoods. This total system is reported to be virtually 100 percent effective in capturing all emissions from the furnace shop during normal operations.

Although about 30 furnaces were reported to have started operation from 1974 to 1979, only 5 commenced construction after the proposal of NSPS and therefore were subject to regulation. Only one of these five furnaces has been tested for visible emissions because the others have not completed their startup. Although the latter met the NSPS for visible emissions, the furnace shop did create an enforcement issue. The furnace shop has a closed roof; however, some visible emissions from charging or tapping operations drifted out the material access doors of the shop when they were open. Also, these charging and tapping emissions became intermingled and were emitted simultaneously due to other furnaces operating in the shop. The enforcement issue arose when it became unclear how to enforce NSPS when charging, tapping, and other shop emissions became mixed and escaped from the doors instead of the roof. These problems are expected to be recurring, as other new furnaces start operation and the NSPS may require further study to clarify the visible emission standard to cover this situation.

Four other recently constructed EAF's were required by local agencies to at least meet NSPS even though their construction started before NSPS proposal. One shop with two partially-enclosed furnaces using canopy hoods and sealed roof was tested for particulate and visible emissions. The local agency concluded that the system would meet NSPS based on their source tests. However, the control system uses a pressure baghouse, and the testing was conducted by company personnel in the presence of local agency observers. In tests of various compartments of the baghouse with a Hi-Vol sampler, the results show that the emissions ranged from 0.0097 mg/dscm (0.000042 gr/dscf) to 0.08 mg/dscm (0.000346 gr/dscf) during twelve 4- to 5-hour tests. However, this is not an official EPA testing method and further investigation by EPA will be necessary to substantiate this data.

The current standard does not cover several types of electric furnaces. The unregulated electric furnaces are: vacuum-arc remelting (VAR), vacuum induction melting (VIM), electro-slag remelting (ESR), and consumable electrode melting (CEM) which are primarily used to produce small tonnages of specialty steels.

Investigation by EPA during this review revealed that the VAR, VIM, CEM, and ESR furnaces do not produce any significant emissions; therefore, they should not be considered for NSPS. Furthermore, these low polluting specialty furnaces are not capable of being replacements for the much larger conventional electric arc furnace which has a higher pollution potential.

Argon-oxygen decarbonization furnaces were found to be a highly significant emitter of particulate and visible emissions, and these furnaces are becoming an integral part of EAF shops that produce stainless steels. AOD furnaces are economical and flexible to operate; therefore, their use is expected to increase. Because AOD furnaces operate within an EAF shop, produce significant amounts of particulate and visible emissions, and use similar air pollution control devices, AOD furnaces should be included in the NSPS study for the EAF. One AOD furnace with canopy hood and baghouse was tested for particulate emissions. The average test result of 6.9 mg/dscm (0.0030 gr/dscf) for the AOD furnace is lower than the current EAF standard of 12 mg/dscm (0.0052 gr/dscf). Hence, the NSPS review for EAF should include AOD furnaces.

Conclusions

Based upon the review of the current NSPS previously summarized, a program to revise the standard is needed. This program, which is expected to begin in fiscal year 1980, will be directed toward:

1. Reviewing new particulate emission data based on the capabilities of the best available technology today. The investigation will include analysis of costs associated with this technology.

2. Reviewing new opacity data from recently designed efficient exhaust techniques, closed roofs for fugitive emissions, and improved hood collection for charging, tapping, and slagging emissions. These systems, where installed, appear to significantly reduced visible emissions from EAF shops.

3. Consideration of including the AOD furnace emissions in the revised EAF standard, or development of a separate standard for these furnaces. They are a highly visible source of particulate emissions.

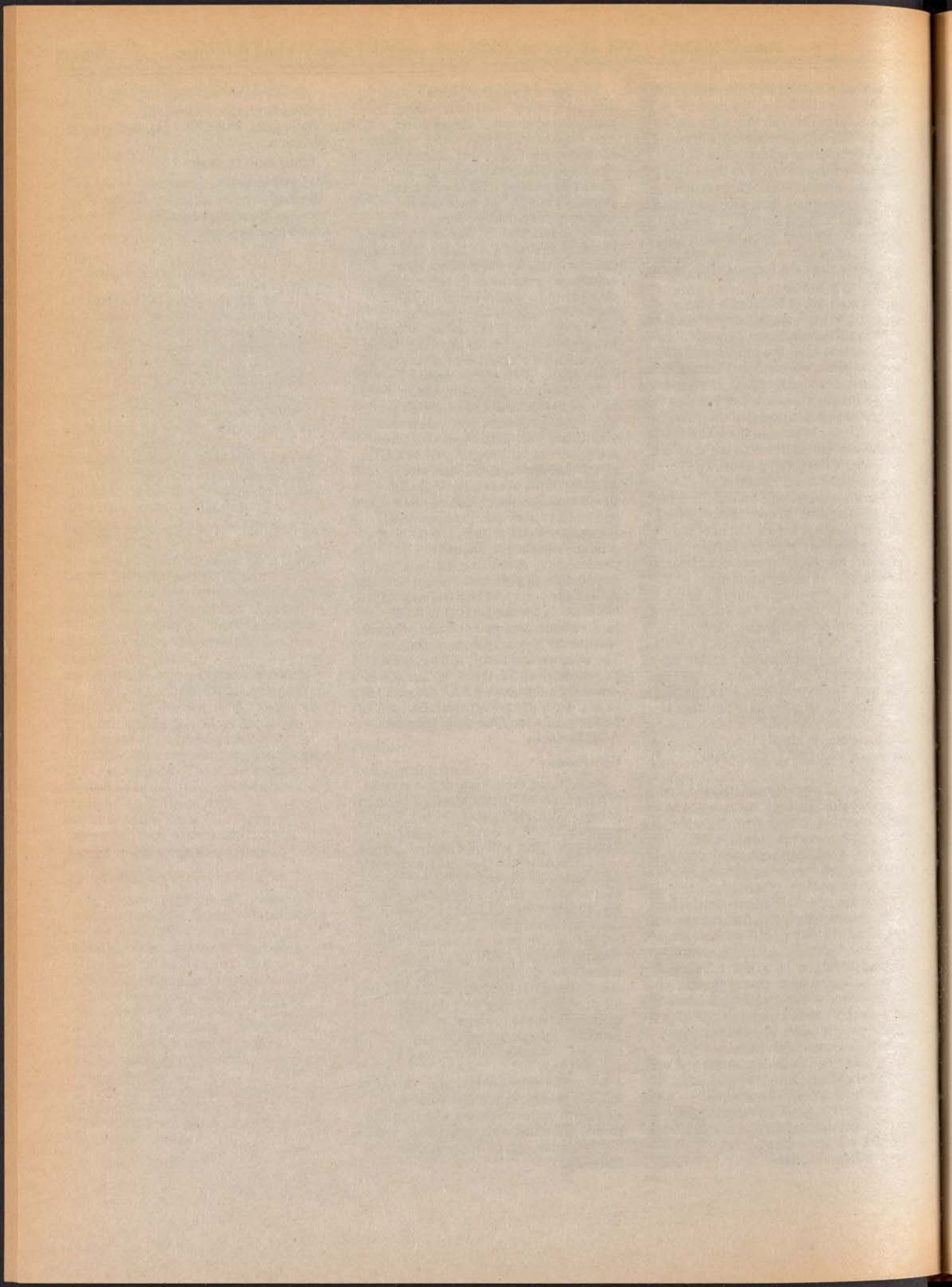
All interested parties are invited to comment on this review, the conclusions, and EPA's planned course of action.

Dated April 11, 1980.

Douglas M. Costle,
Administrator.

[FR Doc. 80-11284 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M



Monday
April 21, 1980

**Department of
Health, Education,
and Welfare**

National Diffusion Network Program; Final Regulations Governing the Award of Grants

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

45 CFR Part 193

National Diffusion Network Program

AGENCY: Office of Education, HEW.

ACTION: Final regulations.

SUMMARY: The Commissioner issues final regulations governing the award of grants to public and private nonprofit agencies participating in the National Diffusion Network (NDN) Program. The program is authorized under Sections 303(a) and 376 of the Elementary and Secondary Education Act (ESEA) of 1965 as amended by the Education Amendments of 1978. The NDN promotes the use of exemplary educational programs designed to meet the specific needs of a wide range of providers of educational services.

EFFECTIVE DATES: These regulations are expected to take effect 45 days after they are transmitted to the Congress. They are transmitted to the Congress several days before they are published in the *Federal Register*. The effective date is changed if Congress disapproves the regulations or takes certain adjournments. If you want to know the effective date of these regulations, call or write the Office of Education contact person.

FOR FURTHER INFORMATION CONTACT: Dr. Andrew Leiby, U.S. Office of Education, Division of Educational Replication (EEEEY2), 400 Maryland Avenue, S.W., Washington, DC 20202. Telephone: 202 245-9582, or 245-2243.

SUPPLEMENTARY INFORMATION:

Background

The NDN was established in 1974 to promote—at a fraction of their original development costs—the widespread national use of exemplary educational programs.

The NDN was originally authorized in Fiscal Year (FY) 1974 under the Elementary and Secondary Education Act, Title III, Section 306. In FY 1977, authorization was shifted by the Congress to Section 422(a) of the General Education Provisions Act (GEPA). FY 1980 authority is contained in the Elementary and Secondary Education Act, Sections 303 and 376.

The NDN is a delivery system composed of two types of projects—

(a) *Developer/Demonstrator Projects.* Developer/Demonstrator Projects disseminate a specific exemplary educational program nationwide.

(b) *Facilitator Projects.* Facilitator Projects disseminate a wide variety of exemplary educational programs within the particular State or intrastate region served.

The regulations include provisions concerning the following:

(a) Grants, rather than contracts, are used as the award mechanism.

(b) The funding competition is expanded from elementary and secondary programs to allow submission of programs in all content areas served by Office of Education programs.

(c) The funding competition is expanded to allow submission of certain programs previously developed without the use of Federal funds by public or nonprofit private organizations, agencies or institutions.

(d) These regulations list all the content categories from which the Commissioner may select general content areas for funding in any given year. The Commissioner selects general content areas for funding taking into consideration unmet national needs. If in a given year the Commissioner identifies specific content areas, those content areas will be published in the *Federal Register*. Programs must be approved by the Joint Dissemination Review Panel (JDRP) prior to being submitted for NDN funds.

(e) JDRP approval is required before a program, practice, or product can be disseminated as exemplary using Education Division funds. Submitters should be aware that the JDRP requires approximately six weeks time to review and process a program submission.

An expanded explanation of the JDRP's purpose, procedures, and criteria, including examples of successful submissions, is available from the Division of Educational Replication (EEEEY2), U.S. Office of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202, Attention: Sy Rubak.

Because the National Diffusion Network is authorized by Title III of the Elementary and Secondary Education Act—

(a) A local educational agency which applies for a grant shall comply with the requirements in §§ 100a.138—100a.141 of EDGAR for open meetings.

(b) State and local educational agencies must meet the requirements for serving private school children in Title III of the Elementary and Secondary Education Act. (See § 193.42 of these regulations)

Selection criteria

The criteria in §§ 193.32 and 193.33 of these final regulations apply to applications for grants made under

appropriations for fiscal year 1981 and for succeeding fiscal years. The appendix to these final regulations contains the criteria that apply to applications for grants made under the appropriations for fiscal year 1980 only. These criteria were published in the closing date notice for the NDN program. They consist of the criteria under the EDGAR and the NDN proposed regulations. A number of modifications were made to these criteria as a result of the rulemaking process for EDGAR and the NDN. (See the Comments and Responses in this preamble.) The Commissioner does not want to extend the closing date to provide for amendment to applications based on the criteria in the final regulations. This extension would jeopardize the start up of the NDN grants for this year. Therefore, the Commissioner publishes in the appendix to these regulations the criteria that the NDN will use for the 1980 fiscal year only.

Because these criteria will not be used after this 1980 fiscal year, the appendix will not be codified in the "Code of Federal Regulations."

Summary of Comments and Responses

A notice of proposed rulemaking (NPRM) for the National Diffusion Network was published in the *Federal Register* on June 25, 1979 (44 FR 37178). During August of 1979 the Commissioner held public meetings on the proposed regulations in each of the 10 Federal regions. Interested parties were also given 60 days to submit written comments on the proposed regulations.

A number of commenters made suggestions regarding the organization of the regulations or recommended other kinds of technical improvements. A number of these suggestions have been adopted. Some technical revisions also have been made in the language of the regulations.

The NDN is subject to the Education Division General Administrative Regulations (EDGAR) parts 100a. and 100c. EDGAR was published as a final regulation in the *Federal Register* on April 3, 1980 (45 FR 22494-22631). EDGAR covers, among other things, the procedure for submission of applications and the process used for selection of applications. EDGAR contains general selection criteria. The EDGAR criteria used by the NDN are repeated in these final regulations.

EDGAR was published as a proposed regulation on May 4, 1979. (44 FR 26298). During the rulemaking process for EDGAR a number of changes were made to the EDGAR criteria. For a discussion of the changes to the EDGAR

criteria, see the EDGAR final regulations.

A summary of the comments on the proposed NDN regulations and the Commissioner's responses follows. This summary does not include comments that did not suggest how the NDN regulations should be changed. Nor does it include comments that concern issues beyond the scope of the NDN. Any change that alters the meaning of a provision of these regulations is summarized. The summary is based on the section numbers as they appear in the final regulations.

General

Comment. Several commenters thought that the change from contracts to grants would prohibit the continuity of funding available under contracts with options for continuation of up to 48 months. One commenter suggested a grandfather clause to protect the holders of existing contracts.

Response. No change has been made. The change from contracts to grants will not prohibit multi-year project periods. The procedures for approval of multi-year projects are in EDGAR §§ 100a.250 through 100a.254. The Commissioner announces the length of the project period he or she will approve in the application notice for the NDN program. (See EDGAR § 100a.101).

Comment. One commenter suggested that a regulation be made requiring an opportunity for the public to comment on all grant applications and not just on LEA applications.

Response. No change has been made. This requirement is mandated by Section 1006 of the Elementary and Secondary Education Act of 1965, as amended. This section applies only to LEAs that seek assistance under the Act. The Commissioner's policy is not to extend the requirement to grantees other than LEAs. For a fuller statement of the requirement, see EDGAR §§ 100a.138 through 100a.141.

Comment. Some commenters were concerned that the developers of commercial educational materials might benefit from JDRP approval and NDN dissemination. One commenter wanted to require Developer/Demonstrator applicants to disclose the copyright interests of any third party to products used in an exemplary educational program.

Response. No change has been made. Commercially available educational materials may be used in conjunction with an NDN funded project without regard to copyright ownership. A purpose of the NDN is to disseminate and facilitate the adoption of exemplary educational programs to improve the

quality of education nationwide. The use of commercially available materials may help achieve this purpose. The Commissioner does not believe that the ESEA prohibits developers of commercial educational materials from indirectly benefiting from this program. As a result, the Commissioner believes that further regulation in this area is unnecessary at this time. However, if the Commissioner finds that the purposes of the NDN program are being subverted by commercial interests, the Commissioner will take action to stop this abuse of the NDN.

§ 193.3 Definitions.

Comment. One commenter wanted to know if an NDN grantee can provide services to a provider of educational services that has not been sanctioned by appropriate State, regional, or local officials.

Response. No change has been made. Providers of educational services may include libraries or other nonprofit educational organizations which are not ordinarily sanctioned by State, regional, or local officials. The Commissioner does not believe that these organizations should be prevented from receiving NDN services.

Comment. One commenter wanted to know if a provider of educational services that has adopted an exemplary educational program may charge its clients for the delivery of the adopted services.

Response. No change has been made. The Commissioner does not regulate in this area.

§ 195.12 What activities must a Developer/Demonstrator Project conduct?

and

§ 193.16 What activities must a Facilitator Project conduct?

Comment. One commenter asked for clarification about the distinctions between Developer/Demonstrator and Facilitator activities and suggested that the two types of grants be combined.

Response. Changes have been made to clarify grantee activities. Developer/Demonstrator Projects disseminate a specific exemplary educational program nationwide. Facilitator Projects disseminate a wide variety of exemplary educational programs within a particular State or intrastate region.

Comment. Regarding paragraph (e) of each of these sections, several commenters requested consistency in the roles and responsibilities of grantees in the area of monitoring and evaluation. In particular, one commenter proposed that the Facilitator rather than the

Developer/Demonstrator should have the responsibility for monitoring the effectiveness of the dissemination process. Clarification of the phrase "effectiveness of adoption" was also requested.

Response. Changes have been made. Both §§ 193.12(e) and 193.16(e) have been rewritten to provide guidance and clarification of roles and responsibilities. Facilitators are required to monitor and evaluate various activities of the dissemination process. Developer/Demonstrators must monitor and evaluate the quality and effectiveness of the resulting program adoptions as well as their own dissemination activities. In the process of clarifying these roles, the phrase "effectiveness of adoption" was eliminated.

Comment. Regarding § 193.16(h), one commenter suggested that Facilitators should also cooperate with Developer/Demonstrators in arranging for site visits.

Response. The change has been made.

§ 193.13 Developer/Demonstrator project: Approval and reapproval by JDRP of exemplary educational programs.

Comment. One commenter was concerned that the phrase "further develop or demonstrate" in paragraph (a) of the proposed rule would require a Developer/Demonstrator grantee to change an exemplary educational program after JDRP approval.

Response. A change has been made. Paragraph (a) from the proposed rule has been dropped. There is no intent to make a Developer/Demonstrator grantee change an exemplary educational program after its approval by the JDRP. The activities that a Developer/Demonstrator must carry out are stated in § 193.12.

Comment. One commenter wished clarification of the phrases "possible harm to users" and "evidence of important change."

Response. Changes have been made to clarify both phrases. "Possible harm to users" has been changed to read: "no potential for educational harm to students." This is to ensure that the JDRP does not review proposed programs that may have undesirable effects on the education of students. For example, if a program requires removing students from regularly scheduled classes to increase reading skills in secondary school students, the Education Division Office that receives the proposal checks to make sure that achievement in the content areas the students are missing is not significantly reduced.

"Evidence of important change" meant favorable change. Thus, the provision now reads "evidence that the proposed program has attained its stated objectives."

§ 193.14 Who is eligible to apply for a Developer/Demonstrator grant?

Comment. Several commenters objected to the restriction limiting developer/Demonstrator applicant eligibility only to those applicants which originally developed the exemplary educational program.

Response. A change is made. If the developing site does not choose to submit an application, then, under certain conditions, another organization may apply.

Comment. One commenter wished to know if the developers of commercially marketed products are eligible for Developer/Demonstrator awards.

Response. No change has been made. Commercially available products may be used in an exemplary educational program. However, the NDN only funds Developer/Demonstrator projects if all conditions for eligibility are met. Profit-making organizations and institutions may not apply for NDN grants.

Comment. Several commenters favored expanding grantee eligibility to include institutions of higher education. However, one commenter opposed opening the eligibility for Developer/Demonstrator grants to agencies or organizations other than elementary and secondary education systems.

Response. No change has been made. The Commissioner believes that the NDN can benefit from program ideas and practices developed by institutions of higher education.

Note.—Most commenters also favored the eligibility of non-federally funded exemplary educational programs for inclusion in the NDN. This expanded eligibility provision has been moved to § 193.14 for clarity.

§ 193.15 Will priorities for funding of Developer/Demonstrator grants be established?

Comment. Several commenters approved of the provision to include new program areas as Developer/Demonstrator grantees. One commenter wanted a provision for funding projects beyond those program areas funded by the Commissioner.

Response. A change has been made. The Commissioner believes that identifying annual priorities for funding from among general content areas is desirable. Section 193.15 has been changed to list content categories from which the Commissioner may select general content areas for funding. The Commissioner also believes that the

general content areas listed will not limit funding under the NDN to those exemplary educational programs that were originally developed with funds from the Education Division of HEW.

§ 193.17 Facilitator eligibility.

Comment. One commenter suggested that all Facilitator applicants must have the written approval of the Chief State School Officer for the area to be served.

Response. No change has been made. Under the selection criteria for a Facilitator grant, an applicant is evaluated on the extent to which it has consulted with the SEA and LEA in developing its application (See § 193.33(f)(1)). The Commissioner believes this requirement is sufficient to ensure that the Facilitator will coordinate activities in the State or intrastate region.

§ 193.32 What selection criteria does the Commissioner use to review a Developer/Demonstrator application?

Note.—The selection criteria used by the Commissioner to select projects funded under fiscal year 1980 appropriations are contained in the appendix to this document. This appendix will not be codified in the "Code of Federal Regulations." The criteria used by the NDN for projects funded under appropriations for fiscal years after 1980 are contained in §§ 193.32 and 193.33 of these final regulations. Comments on and changes to the selection criteria in these final regulations are discussed here.

Comment. Regarding paragraph (f), several commenters suggested that the paragraph refer to "adoption" rather than "project" sites because use of the term "project" was confusing.

Response. The change has been made.

Comment. Regarding paragraph (g), several commenters requested that providers of educational services be allowed access to Developer/Demonstrator approved adoption sites rather than just the original developing site.

Response. A change has been made. The criterion as redrafted awards points for Developer/Demonstrator applicants that plan to make agreements with adopter sites. These agreements would allow access to the adopter site by potential adopters.

§ 193.32 What selection criteria does the Commissioner use to review a Developer/Demonstrator application?

§ 193.33 What selection criteria does the Commissioner use to review a Facilitator application?

Comment. Regarding the program specific criteria beginning in paragraph (f) of each section, one commenter wondered why these selection criteria

did not reference all activities described in §§ 193.12 and 193.16.

Response. No changes have been made. The plan of operation criterion in both §§ 193.32 and 193.33 asks applicants to describe each objective of the project and relate these objectives to the purposes of the NDN. Sections 193.12 and 193.16 describe the activities that grantees must perform. One of the objectives of a project funded under NDN is to fulfill each activity requirement. Thus, if an applicant describes what it will do to fulfill each of the activity components then the applicant addresses this aspect of the plan of operation criterion. This fact should be clearer in these final regulations than in the proposed rules because the EDGAR criteria are now written into these regulations.

§ 193.33 What criteria does the Commissioner use to review a Facilitator application?

Comment. One commenter wanted a separate selection criterion to ensure that appropriate weight be given to consultation with private school officials.

Response. No change has been made. Section 193.42, Nonprofit private school requirements, establishes the duties of Facilitators regarding consultation. The final rule criteria in paragraph (f) are designed to evaluate applicants on a broader range of consultation obligations than those imposed by § 193.42. The Commissioner believes that if the nonprofit private school consultation requirements were separated from the broader duties, the separation would be artificial. The Commissioner believes that students enrolled in nonprofit private schools must be given a genuine opportunity to participate in the NDN program. The Commissioner has given emphasis to the nonprofit private school consultation requirements in § 193.42.

§ 193.41 Are there restrictions on the kinds of costs a grant may support?

Comment. One commenter requested more specificity on what expenses are allowable. This commenter felt that certain expenses should be prohibited as a matter of course under a dissemination program.

Response. A change has been made. Stipends have been added to the list of expenses for which NDN funds may not be used. Under this restriction, education personnel could not receive stipends to participate in training activities. Section 193.41 only lists those expenses which the Commissioner prohibits specifically under the NDN program. Other expenses may be

prohibited under the general cost principles which govern this as well as other programs. These cost principles are contained in EDGAR §§ 100a.530 to 100a.568 and Title 45 CFR Part 74, Subpart Q. Among these principles are the rules that costs must be reasonable and necessary for the proper and efficient administration of the grant program. Given the limited amount of funds available to support this program, the Commissioner has decided that it is unreasonable to use NDN funds to pay such stipends. There are no general restrictions applicable to this program on the use of funds for equipment or salaries or against using an indirect cost method. Rather these allowances are determined on a project by project basis during the technical and cost review of applications. In setting the amount of the grants under EDGAR § 100a.233, the Commissioner takes the cost principles into account to determine if costs of the project are necessary, reasonable and allowable. (See EDGAR §§ 100a.230-100a.234 and §§ 100a.530-100a.568).

§ 193.42 Nonprofit private school requirements.

Comment. One commenter questioned whether this section applied to applicants and grantees other than LEAs and SEAs.

Response. This section implements a statutory mandate that applies only to LEAs and SEAs.

Comment. One commenter suggested a change in the wording of paragraph (a)(2) of the proposed rule. The proposed change was intended to emphasize that the statute requires an opportunity to participate for children in nonprofit private elementary and secondary schools in the area served by the project.

Response. No change has been made. The purpose of this paragraph is only to indicate that the NDN program is subject to section 302(b) of the Elementary and Secondary Education Act of 1965, as amended by the Education Amendments of 1978 (20 U.S.C. 2942(b)). The substance of how the NDN implements the statutory mandate specifically for the NDN is in paragraphs (b) and (c) of § 193.42 of the regulations. Paragraphs (b) and (c) are discussed under "Other changes".

Other changes. Section 193.42 has been restructured to clarify the roles of Developer/Demonstrators and Facilitators. Section 302(b) of the Elementary and Secondary Education Act of 1965 literally covers delivery of services to school children. Because NDN grantees do not deliver services to school children, the Commissioner

believes that some guidance would help grantees apply this statutory mandate.

The general reference to EDGAR contained in paragraph (a) of the proposed rule has been dropped. Not all of the EDGAR rules on private school participation apply to the NDN. Paragraph (a) now only requires compliance with EDGAR § 100b.652. The purpose of this cross reference is to show that consultation must occur during all phases of designing the application, that consultation must occur before a decision that affects participation by children enrolled in nonprofit private schools, and that an LEA or SEA must give the appropriate representatives of the nonprofit private school children a genuine opportunity to express their views.

Paragraph (b)(1) covers consultation for Developer/Demonstrator projects. In the proposed rule the focus was on where an LEA or SEA applicant must consult. In the final rule the focus is on the results of the consultation.

Paragraph (b)(2) covers consultation for Facilitator projects. A statement has been added to indicate the purpose of the consultation.

Paragraph (c) has been restructured to ensure that an LEA or SEA considers any advice it may receive under the consultation requirements.

A new paragraph (c)(1)(ii) has been added to cover the situation where an LEA or SEA Developer/Demonstrator does an adoption at a site not served by an LEA or SEA Facilitator. The nonprofit private schools in the area served by the adopter site may not know about the Developer/Demonstrator's program. If this is true, the Developer/Demonstrator should ensure that these schools are aware of its program and the availability of the program for use by the nonprofit private schools. This specific requirement for LEA and SEA Developer/Demonstrators does not diminish the general responsibility of every Facilitator to provide an opportunity for participation by all providers of educational services in the State or intrastate region.

Paragraph (c)(2) from the proposed rule has been dropped. Children in nonprofit private schools have an opportunity to benefit from the NDN to the extent that teachers and administrators from these schools have an opportunity to participate. Therefore, this paragraph duplicated the requirements imposed by paragraph (c)(1) of the proposed rule. This paragraph from the proposed rule went beyond the statute by imposing the statutory mandate on nongrantees.

Two new paragraphs have been added to this section. These paragraphs

are needed because the general adoption of the EDGAR private school regulations has been eliminated from paragraph (a) of § 193.42.

Relationship between selection criteria and § 193.42

While Section 302(b) of the ESEA imposes specific requirements on LEAs or SEAs, the Commissioner believes that these requirements fit within the general requirements for the NDN. For example, § 193.42(b)(2) covers consultation during the development of an application by an LEA or SEA of a facilitator grant. The selection criteria for facilitator grants covers consultation during the development of the application at § 193.33(f). Under this criterion every applicant for a facilitator grant must indicate the quality of its consultation "with SEAs and LEAs, nonprofit private elementary and secondary schools, and other providers of educational services in the State or intrastate region to be served" (§ 193.33(f)). The purpose of this selection criterion is to encourage comprehensive consultation with a variety of providers of educational services, including representatives of nonprofit private school children.

Citation of Legal Authority

The reader will find a citation of statutory or other legal authority in parentheses on the line following each substantive provision.

Approved: April 15, 1980.

William L. Smith,
U.S. Commissioner of Education.

(Catalog of Federal Domestic Assistance Number 13.553, National Diffusion Network Program)

The Commissioner amends Part 193 of Title 45 as follows:

PART 193—NATIONAL DIFFUSION NETWORK

Subpart A—General

Sec.

193.1 What is the National Diffusion Network (NDN)?

193.2 What regulations apply to the NDN?

193.3 What definitions apply to the NDN?

Subpart B—What Kinds of Projects Does the Office of Education (OE) Assist Under This Program?

193.11 What kinds of projects does the NDN assist?

193.12 What activities must a Developer/Demonstrator project conduct?

193.13 Developer/Demonstrator Project: Approval and reapproval by JDRP of exemplary educational programs.

193.14 Who is eligible to apply for a Developer/Demonstrator grant?

193.15 Will priorities for funding of Developer/Demonstrator grants be established?

Sec.

193.16 What activities must a Facilitator Project conduct?

193.17 Who is eligible to apply for a Facilitator grant?

Subpart C—How To Apply for a Grant

193.21 [Reserved]

Subpart D—How is a Grant Made?

193.31 How does the Commissioner evaluate an application for a Developer/Demonstrator or a Facilitator grant?

193.32 What selection criteria does the Commissioner use to review a Developer/Demonstrator application?

193.33 What selection criteria does the Commissioner use to review a Facilitator application?

Subpart E—What Conditions Must be Met by a Grantee?

193.41 Are there restrictions on the kinds of items a grant may support?

193.42 Nonprofit private school requirements.

Authority: Secs. 303 and 376 of Title III of the Elementary and Secondary Education Act of 1965, as amended by the Education Amendments of 1978 (Pub. L. 95-561), 92 Stat. 2210-2222 (200 U.S.C. 2943, 3041), unless otherwise noted.

Subpart A—General**§ 193.1 What is the National Diffusion Network (NDN)?**

The National Diffusion Network (NDN) funds activities designed to promote across the Nation the widespread use of exemplary educational programs by providers of educational services. The NDN is designed—

(a) To acquaint these providers with information on exemplary educational programs; and

(b) To help these providers adopt the exemplary program through training and technical assistance.

(20 U.S.C. 2943, 3041)

§ 193.2 What regulations apply to the NDN?

(a) *Regulations.* The following regulations apply to the NDN:

(1) The Education Division General Administrative Regulations (EDGAR) in part 100a (Direct Grant Programs) and part 100c (Definitions).

(2) The regulations in this part.

(b) *Exceptions to EDGAR.* Section 100a.650, Participation of students enrolled in private schools, does not apply to this program. (However, see § 193.42 in this part, which governs this participation.)

(c) *How to use regulations.* The "Introduction to Education Division Programs" at the beginning of EDGAR includes general information to assist in using regulations that apply to Education Division programs.

§ 193.3 What definitions apply to the NDN?

(a) *Definitions in EDGAR.* The following terms used in this part are defined in part 100c:

Applicant
Application
Education Division
Facilities
Local educational agency (LEA)
Nonprofit
Project
Private
Public
State educational agency (SEA)

(b) *Definitions in 45 CFR Part 74.* The following terms used in this part are defined in 45 CFR Part 74:

Equipment
Grantee

(c) *Program specific definitions.* The following definitions apply specifically to this program:

"Adoption" or "Adopt" means the use of all the essential characteristics of an exemplary educational program by a provider of educational services.

"Exemplary educational program" means a program, product, or practice validated by the Joint Dissemination Review Panel (JDRP).

"General Content Area" refers to educational subject areas such as basic skills, and instructional levels such as elementary or adult.

"Proposed Program" means a program, product, or practice that has not been approved by the JDRP.

"Provider of educational services" means any public or nonprofit private agency or organization responsible for the provision of educational services. Included are State educational agencies (SEAs), local educational agencies (LEAs), nonprofit private educational agencies, public or nonprofit private institutions of higher education.

(20 U.S.C. 2943, 3041)

Subpart B—What Kinds of Projects Does the Office of Education (OE) Assist Under This Program?**§ 193.11 What kinds of projects does the NDN assist?**

The National Diffusion Network assists two types of projects:

(a) Developer/Demonstrator Projects—disseminate a specific exemplary educational program nationwide.

(b) Facilitator Projects—disseminate a wide variety of exemplary educational programs within the particular State or intrastate region served.

(20 U.S.C. 2943, 3041)

§ 193.12 What activities must a Developer/Demonstrator project conduct?

A Developer/Demonstrator Project must—

(a) Disseminate throughout the nation information about the exemplary educational program it developed or represents;

(b) Develop materials for providers of educational services to use in deciding whether to adopt the exemplary educational program;

(c) Refine, produce, and package instructional, management, and training plans and materials;

(d) Provide training and technical assistance in the preparation, implementation, and evaluation stages of an exemplary educational program adoption;

(e) Monitor and evaluate the quality and effectiveness of the activities listed under paragraphs (a), (b), (c), and (d) of this section, and the quality and effectiveness of the resulting exemplary educational program adoptions;

(f) Participate with other National Diffusion Network grantees in workshops and meetings arranged by the Commissioner; and

(g) Cooperate with Facilitator Project grantees in carrying out the activities under paragraphs (a), (d), and (e) of this section.

(20 U.S.C. 2943, 3041)

§ 193.13 Developer/Demonstrator Project: Approval and reapproval by JDRP of exemplary educational programs.

(a) The procedures involved in JDRP approval follow:

(1)(i) If the proposed program was developed with Education Division funds, an applicant submits the proposed program and supporting evidence to the Education Division program office that funded its development or to the Office of Education, Division of Educational Replication.

(ii) If the proposed program was not developed with Education Division funds, an applicant submits the proposed program and supporting evidence to the Division of Educational Replication.

(2) The Education Division office that receives the proposed program—

(i) Reviews it for accuracy, and social fairness (e.g., freedom from race and sex role stereotyping), and quality of evaluation design;

(ii) Determines that there is no potential for educational harm to students; and

(iii) If the proposed program is acceptable under paragraphs (a)(2)(i) and (ii) of this section, transmits the proposed program to the JDRP.

(3) The JDRP looks for the following in evaluating a proposed program:

(i) Is there evidence demonstrating that the proposed program attained its stated outcomes?

(ii) Can the outcomes reasonably be attributed to the proposed program?

(iii) Is there evidence that the proposed program can be adopted by other providers of educational services and benefit their clients?

(b) For the purposes of the NDN—

(1) JDRP approval granted on or before September 30, 1980, remains in effect for a four-year period beginning October 1, 1980; and

(2) JDRP approval granted after September 30, 1980, remains in effect for a four-year period from the date of approval.

(c) JDRP may reapprove a program as an exemplary educational program.

Programs submitted by the original developer for JDRP reapproval must—

(1) Be subject to all of the initial review procedures in paragraph (a) of this section; and

(2) Provide evidence that program adoptions have attained the outcomes originally stated by the developer.

(20 U.S.C. 2943, 3041)

§ 193.14 Who is eligible to apply for a Developer/Demonstrator grant?

(a) An application may be submitted by any public or nonprofit private agency, organization, or institution that has developed an exemplary educational program.

(b) If the agency that developed the exemplary educational program does not apply, another public or nonprofit private agency, organization, or institution may apply if the exemplary educational program continues in operation, is available for visitation, and if the staff is composed substantially of personnel who originally developed and operated the program.

(c) Both federally and non-federally developed exemplary educational programs are eligible for NDN funding.

(20 U.S.C. 2943, 3041)

§ 193.15 Will priorities for funding Developer/Demonstrator grants be established?

(a) In any given year, through a notice published in the *Federal Register*, the Commissioner may select general content areas for funding from among the following 12 categories:

- (1) Adult education.
- (2) Alternative schools/programs.
- (3) Bilingual/migrant education.
- (4) Career/vocational education.
- (5) Early childhood/parent readiness/parent involvement.

(6) Environmental education/science/social science.

(7) Organizational arrangements/administration.

(8) Preservice/in-service training.

(9) Reading/language arts/mathematics.

(10) Special education/learning disabilities.

(11) Arts/gifted and talented education.

(12) Communication/technology/health/human behavior/physical education.

(b) The Commissioner selects general content areas taking into consideration any unmet national needs in the general content areas under paragraph (a) of this section.

(c) If the Commissioner selects general content areas, the Commissioner selects applications for new grants under each general content area separately.

(20 U.S.C. 2943, 3041)

§ 193.16 What activities must a Facilitator Project conduct?

A Facilitator Project must—

(a) Inform providers of educational services about the availability of exemplary educational programs, whether or not those programs are funded by the NDN;

(b) Assist providers of educational services—

(1) In identifying and assessing their needs, and

(2) In matching those needs with exemplary educational programs;

(c) Arrange for interested providers of educational services to visit sites of Developer/Demonstrator projects if appropriate;

(d) Arrange for Developer/Demonstrator projects to train staff members of providers of educational services that choose to adopt the exemplary educational program;

(e) Monitor and evaluate the quality and effectiveness of the activities listed under paragraphs (a), (b), (c), and (d) of this section, and the quality and effectiveness of the dissemination process;

(f) Identify and encourage the submission to the JDRP of proposed programs developed within the State or intrastate region served;

(g) Participate with other NDN grantees in workshops and meetings arranged by the Commissioner; and

(h) Cooperate with Developer/Demonstrator grantees in carrying out the activities under paragraphs (a), (c), (d), and (e) of this section.

(20 U.S.C. 2942, 3041)

§ 193.17 Who is eligible to apply for a Facilitator grant?

Applications for Facilitator grants may be submitted by any public or nonprofit private agency, organization, or institution located in the State or intrastate region to be served.

(20 U.S.C. 2943, 3041)

Subpart C—How to Apply for a Grant

Note.—EDGAR establishes the regulations for submission of applications. See, generally, 45 CFR 100a.100–100a.192.

§ 193.21 [Reserved]

Subpart D—How is a Grant Made?

§ 193.31 How does the Commissioner evaluate an application for a Developer/Demonstrator or a Facilitator grant?

(a) The Commissioner evaluates an application—

(1) For a Developer/Demonstrator grant on the basis of the criteria in § 193.32; and

(2) For a Facilitator grant on the basis of the criteria in § 193.33.

(b) The Commissioner awards up to 100 possible points under both—

(1) The Developer/Demonstrator criteria; and

(2) The Facilitator criteria.

(c) The maximum possible score for each complete criterion is indicated in parentheses.

(d) The criteria in §§ 193.22 and 193.33 apply to applications for new grants made under appropriations for fiscal year 1981 and succeeding fiscal years.

§ 193.32 What selection criteria does the Commissioner use to review a Developer/Demonstrator application?

(a) *Plan of operation.* (20 points)

(1) The Commissioner reviews each application for information that shows the quality of the plan of operation for the project.

(2) The Commissioner looks for information that shows—

(i) High quality in the design of the project;

(ii) An effective plan of management that insures proper and efficient administration of the project;

(iii) A clear description of how the objectives of the project relate to the purpose of the program;

(iv) The way the applicant plans to use its resources and personnel to achieve each objective;

(v) A clear description of how the applicant will provide equal access and treatment for eligible project participants who are members of groups that have been traditionally underrepresented, such as—

(A) Members of racial or ethnic minority groups;

(B) Women;
(C) Handicapped persons;
(D) The elderly; and
(vi) If the applicant is a local educational agency or State educational agency, a clear description of how the applicant will satisfy the applicable requirements for consultation with private school officials and opportunity for participation by private school children as stated in § 193.42.

(b) *Quality of Key personnel.* (15 points).

(1) The Commissioner reviews each application for information that shows the quality of the key personnel the applicant plans to use on the project.

(2) The Commissioner looks for information that shows—

(i) The qualifications of the project director (if one is to be used);

(ii) The qualifications of each of the other key personnel to be used in the project;

(iii) The time that each person referred to in paragraphs (2) (i) and (ii) plans to commit to the project; and

(iv) The extent to which the applicant, as part of its non-discriminatory employment practices, encourages applications for employment from persons who are members of groups that have been traditionally underrepresented, such as—

(A) Members of racial or ethnic minority groups;

(B) Women;

(C) Handicapped persons; and

(D) The elderly.

(3) To determine the qualifications of a person, the Commissioner considers evidence of past experience and training, in fields related to the objectives of the project, as well as other information that the applicant provides.

(c) *Budget and cost effectiveness.* (10 points)

(1) The Commissioner reviews each application for information that shows that the project has an adequate budget and is cost effective.

(2) The Commissioner looks for information that shows—

(i) The budget for the project is adequate to support the project activities; and

(ii) Costs are reasonable in relation to the objectives of the project.

(d) *Evaluation plan.* (15 points)

(1) The Commissioner reviews each application for information that shows the quality of the evaluation plan for the project. (See § 100a.590—Evaluation by the grantee.)

(2) The Commissioner looks for information that shows methods of evaluation that are appropriate for the project and, to the extent possible, are

objective and produce data that are quantifiable.

(e) *Adequacy of resources.* (4 points)

(1) The Commissioner reviews each application for information that shows that the applicant plans to devote adequate resources to the project.

(2) The Commissioner looks for information that shows—

(i) The facilities that the applicant plans to use are adequate; and

(ii) The equipment and supplies that the applicant plans to use are adequate.

(f) *Monitoring.* (20 points)

The Commissioner looks for information that shows the extent to which the applicant clearly details plans that show promise of effective postadoption monitoring and evaluation of program implementation and resulting benefits at the adoption sites.

(g) *Access to sites.* (6 points)

The Commissioner looks for information that shows the extent to which the applicant provides for access to the developer site or developer-approved sites for potential adopters to see the program in operation.

(h) *Innovative dissemination.* (10 points)

The Commissioner looks for information that shows the extent to which the applicant proposes innovative dissemination strategies that may be used by other NDN grantees.

(20 U.S.C. 2943, 3041)

§ 193.33 What selection criteria does the Commissioner use to review a Facilitator application?

(a) *Plan of operation.* (20 points)

(1) The Commissioner reviews each application for information that shows the quality of the plan of operation for the project.

(2) The Commissioner looks for information that shows—

(i) High quality in the design of the project;

(ii) An effective plan of management that insures proper and efficient administration of the project;

(iii) A clear description of how the objectives of the project relate to the purpose of the program; and

(iv) The way the applicant plans to use its resources and personnel to achieve each objective.

(v) A clear description of how the applicant will provide equal access and treatment for eligible project participants who are members of groups that have been traditionally underrepresented, such as

(A) Members of racial or ethnic minority groups;

(B) Women;

(C) Handicapped persons; and

(D) The elderly.

(b) *Quality of key personnel.* (15 points)

(1) The Commissioner reviews each application for information that shows the quality of the key personnel the applicant plans to use on the project.

(2) The Commissioner looks for information that shows—

(i) The qualifications of the project director (if one is to be used);

(ii) The qualifications of each of the other key personnel to be used in the project;

(iii) The time that each person referred to in paragraphs (2) (i) and (ii) of this section plans to commit to the project; and

(iv) The extent to which the applicant, as part of its non-discriminatory employment practices, encourages applications for employment from persons who are members of groups that have been traditionally underrepresented, such as—

(A) Members of racial or ethnic minority groups;

(B) Women;

(C) Handicapped persons; and

(D) The elderly.

(3) To determine the qualifications of a person, the Commissioner considers evidence of past experience and training, in fields related to the objectives of the project, as well as other information that the applicant provides.

(c) *Budget and cost effectiveness.* (10 points)

(1) The Commissioner reviews each application for information that shows that the project has an adequate budget and is cost effective.

(2) The Commissioner looks for information that shows—

(i) The budget for the project is adequate to support the project activities; and

(ii) Costs are reasonable in relation to the objectives of the project.

(d) *Evaluation plan.* (15 points)

(1) The Commissioner reviews each application for information that shows the quality of the evaluation plan for the project. (See § 100a.500—Evaluation by the grantee.)

(2) The Commissioner looks for information that shows methods of evaluation that are appropriate for the project and, to the extent possible, are objective and produce data that are quantifiable.

(e) *Adequacy of resources.* (4 points)

(1) The Commissioner reviews each application for information that shows that the applicant plans to devote adequate resources to the project.

(2) The Commissioner looks for information that shows—

- (i) The facilities that the applicant plans to use are adequate; and
 - (ii) The equipment and supplies that the applicant plans to use are adequate.
- (f) *Consultation during application.* (5 points)

The Commissioner looks for information that shows the extent to which the applicant, in developing its application has consulted with SEAs and LEAs, nonprofit private elementary and secondary schools, and other providers of educational services in the State or intrastate region to be served; and

- (g) *Consultation during project.* (5 points)

The Commissioner looks for information that shows the extent to which the applicants in carrying out project activities, provides for consultation with SEAs and LEAs, nonprofit private elementary and secondary schools, and other providers of educational services in the State or interstate region.

- (h) *Monitoring.* (16 points)

The Commissioner looks for information that shows the extent to which the applicant clearly details plans to monitor and assist sites that adopt the program.

- (i) *Innovative dissemination.* (10 points)

The Commissioner looks for information that shows the extent to which the applicant proposes innovative dissemination strategies that may be used by other NDN grantees.

(U.S.C. 2943, 3041)

Subpart E—What Conditions Must Be Met By a Grantee?

§ 193.41 Are there restrictions on the kind of items a grant may support?

Funds may not be used for stipends, for education personnel to participate in training activities, construction, repair, remodeling, or alteration of facilities or sites. (See EDGAR § 100a.530)

(20 U.S.C. 2943, 3041)

§ 193.42 Nonprofit private school requirements.

(a) A grant to an LEA or SEA is subject to the requirements in Section 302(b) of the Elementary and Secondary Education Act of 1965, as amended, concerning—

- (1) Consultation with nonprofit private school officials in developing the application; and

(2) The opportunity for participation by nonprofit private school children. The requirements for consultation are governed by paragraph (b) of this section, and § 100b.652 of EDGAR.

(b) *Consultation.* (1)(i) An applicant shall comply with paragraph (b)(1)(ii) of this section if the following conditions are met:

- (A) The applicant is an LEA or SEA.
- (B) The applicant applies for a Developer/Demonstrator grant.

(C) The project proposed under the application is designed for adoption at elementary and secondary schools.

(ii) The applicant shall consult with officials of nonprofit private elementary and secondary schools to ensure that the project can benefit children in those schools.

(2)(i) An applicant shall comply with paragraph (b)(2)(ii) of this section if the following conditions are met:

- (A) The applicant is an LEA or SEA.
- (B) The applicant applies for a Facilitator grant.

(ii) The applicant shall consult with officials of nonprofit private elementary and secondary schools in the State or intrastate region served by the project to determine appropriate strategies to ensure that children in those schools can benefit from the project.

(c) *Participation.* (1) An LEA or SEA that receives a Developer/Demonstrator grant designed for adoption at elementary and secondary schools shall—

(i) Based on the consultation under paragraph (b)(1) of this section, ensure that nonprofit private elementary and secondary schools have an opportunity to adopt the program; and

(ii) Ensure that nonprofit private elementary and secondary schools in the area served by an adopter are informed about the opportunities to adopt the program.

(2) An LEA or SEA that receives a Facilitator grant shall use the strategies developed under paragraph (b)(2) of this section to ensure that teachers and administrators from nonprofit private elementary and secondary schools have an opportunity to participate in the project.

(d) An applicant that must comply with paragraph (c) of this section shall include in its application a description of how the applicant will meet the Federal requirements for participation.

(e) An LEA or SEA grantee shall comply with the rules for subgrantees in EDGAR § 100b.658, Funds not to benefit a private school.

(20 U.S.C. 2942(b), 2943, 3041)

Appendix

Note.—This appendix will not be codified in the Code of Federal Regulations.

I. Developer/Demonstrator applications.

The Commissioner evaluates an application for a Developer/Demonstrator

grant on the basis of the selection criteria in the following paragraphs. The total possible score for all criteria is 100 points. The maximum possible score for each criterion indicates the relative importance assigned to that criterion by the Commissioner.

- (a) *Plan of operation.* (20 points)

(1) The appropriate official of the Education Division reviews each application for information that shows the quality of the plan of operation for the project.

(2) The official looks for information that shows:

- (i) High quality in the design of the project;
- (ii) An effective plan of management that insures proper and efficient administration of the project;

(iii) A clear description of how the objectives of the project relate to the purpose of the program; and

(iv) The way the applicant plans to use its resources and personnel to achieve each objective.

- (b) *Quality of key personnel.* (15 points)

(1) The appropriate official of the Education Division reviews each application for information that shows the quality of the key personnel the applicant plans to use on the project.

(2) The official looks for information that shows—

(i) The qualifications of the project director (if any);

(ii) The qualifications of each of the other key personnel used in the project;

(iii) The qualifications of any of the following persons who are hired for the project—

(A) Any member of the immediate family of a person on the project staff;

(B) Any member of the governing body of the grantee; or

(C) Any member of the immediate family of a person on that governing body.

(iv) The time that each person referred to in paragraphs (2)(i)–(iii) of this section plans to commit to the project; and

(v) The extent to which the applicant, as part of its nondiscriminatory employment practices, encourages applications for employment from persons who are members of groups that have been traditionally underrepresented, such as members of racial or ethnic minority groups, women, handicapped persons, and the elderly.

- (c) *Budget and cost effectiveness.* (10 points)

(1) The appropriate official of the Education Division reviews each application for information that shows that the project has an adequate budget and is cost effective.

(2) The official looks for information that shows:

(i) The budget for the project is adequate to support the project activities; and

(ii) Costs are reasonable in relation to the objectives of the project.

- (d) *Evaluation plan.* (15 points)

(1) The appropriate official of the Education Division reviews each application for information that shows the quality of the evaluation plan for the project.

(2) The official looks for information that shows an objective, quantifiable method of evaluation under § 100a.590.

- (e) *Adequacy of resources.* (4 points)

(1) The appropriate official of the Education Division reviews each application for information that shows that the applicant plans to devote adequate resources to the project, including resources to meet the needs of persons to be served by the project who are members of groups that have been traditionally underrepresented, such as

(i) Members of racial or ethnic minority groups;

(ii) Women;

(iii) Handicapped persons; and

(iv) The elderly.

(2) The official looks for information that shows:

(i) The facilities that the applicant plans to use are adequate; and

(ii) The equipment and supplies that the applicant plans to use are adequate.

(f) The Commissioner considers the extent to which the applicant—

(1) Clearly details plans for post-adoption monitoring and evaluation of project sites; (20 points)

(2) Provides for access to the developer site for potential adopters to see the program in operation; (6 points) and

(3) Proposes innovative dissemination strategies that may be worthy of replication by other NDN projects. (10 points)

(20 U.S.C. 2943, 3041)

II. Facilitator applications

The Commissioner evaluates an application for a facilitator grant on the basis of the selection criteria in the following paragraphs. The total possible score for all criteria is 100 points. The maximum possible point score for each criterion indicates the relative importance assigned to that criterion by the Commissioner.

(a) *Plan of operation.* (20 points)

(1) The appropriate official of the Education Division reviews each application for information that shows the quality of the plan of operation for the project.

(2) The official looks for information that shows:

(i) High quality in the design of the project;

(ii) An effective plan of management that insures proper and efficient administration of the project;

(iii) A clear description of how the objectives of the project relate to the purpose of the program; and

(iv) The way the applicant plans to use its resources and personnel to achieve each objective.

(b) *Quality of key personnel.* (15 points)

(1) The appropriate official of the Education Division reviews each application for information that shows the quality of the key personnel the applicant plans to use on the project.

(2) The official looks for information that shows—

(i) The qualifications of the project director (if any);

(ii) The qualifications of each of the other key personnel used in the project;

(iii) The qualifications of any of the following persons who are hired for the project—

(A) Any member of the immediate family of a person on the project staff;

(B) Any member of the governing body of the grantee; or

(C) Any member of the immediate family of a person on that governing body.

(iv) The time that each person referred to in paragraphs (2) (i)–(iii) of this section plans to commit to the project; and

(v) The extent to which the applicant, as part of its nondiscriminatory employment practices, encourages applications for employment from persons who are members of groups that have been traditionally underrepresented, such as members of racial or ethnic minority groups, women, handicapped persons, and the elderly.

(3) To determine the qualifications of a person, the official considers evidence of past experience in fields related to the objectives of the project, as well as other information that the applicant provides.

(c) *Budget and cost effectiveness.* (10 points)

(1) The appropriate official of the Education Division reviews each application for information that shows that the project has an adequate budget and is cost effective.

(2) The official looks for information that shows:

(i) The budget for the project is adequate to support the project activities; and

(ii) Costs are reasonable in relation to the objectives of the project.

(d) *Evaluation plan.* (15 points)

(1) The appropriate official of the Education Division reviews each application for information that shows the quality of the evaluation plan for the project.

(2) The official looks for information that shows an objective, quantifiable method of evaluation under § 100a.590.

(e) *Adequacy of Resources.* (4 points)

(1) The appropriate official of the Education Division reviews each application for information that shows that the applicant plans to devote adequate resources to the project, including resources to meet the needs of persons to be served by the project who are members of groups that have been traditionally underrepresented, such as

(i) Members of racial or ethnic minority groups;

(ii) Women;

(iii) Handicapped persons; and

(iv) The elderly.

(2) The official looks for information that shows:

(i) The facilities that the applicant plans to use are adequate; and

(ii) The equipment and supplies that the applicant plans to use are adequate.

(f) The Commissioner considers the extent to which the applicant—

(1) In developing its application has consulted with SEAs and LEAs, private elementary and secondary schools, and other educational resources in the State or intrastate region to be served; (5 points)

(2) In carrying out project activities provides for consultation with SEAs and LEAs, private elementary and secondary schools, and other educational resources in the State or intrastate region; (5 points)

(3) Clearly details plans to monitor and evaluate sites that adopt the program; (16 points) and

(4) Proposes innovative dissemination strategies that may be worthy of replication by other NDN projects. (10 points)

(20 U.S.C. 2943, 3041)

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**Monday
April 21, 1980**

Part VI

Department of the Interior

**Office of Surface Mining Reclamation and
Enforcement; and Geological Survey**

**Coal Mining on Federal Lands;
Reinstatement of Cooperative
Agreements for Certain States and
Reinstatement of a Federal/State
Cooperative Agreement With New
Mexico; Proposed Rules**

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement; and Geological Survey

30 CFR Part 211

Regulation of Coal Mining on Federal Lands; Proposed Amendment and Reinstatement of a Federal/State Cooperative Agreement With New Mexico

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM) and Geological Survey (GS), Department of the Interior

ACTION: Proposed amendment to 30 CFR 211.75(c)(3) and reinstatement of a modified cooperative agreement with New Mexico.

SUMMARY: This notice proposes to amend 30 CFR 211.75(c)(3) to permit those States with terminated cooperative agreements to request the Secretary of Interior to reinstate the terminated agreements. This proposed rulemaking also is to modify and reinstate a Federal/State cooperative agreement between the Department of Interior and the State of New Mexico (30 CFR 211.77(c)) in accordance with the requirements of section 523(c) of the Surface Mining Control and Reclamation Act of 1977 (Pub. L. 95-87), hereinafter referred to as the "Surface Mining Act." The Secretary believes that reinstatement of the agreement with New Mexico would aid in preventing duality of administration and enforcement, permit a more uniform application of reclamation requirements on Federal lands, reduce the administrative costs of implementing the program, and reduce possible operator confusion by having a single set of standards for all lands within the State.

DATES: Interested persons may submit written comments on the proposed rulemaking. Comments must be received by 5 p.m. on May 21, 1980. A public hearing will be conducted if public comment warrants.

ADDRESSES: Written comments should be addressed to the Director, Office of Surface Mining, U.S. Department of the Interior, Room 212, South Interior Building, 1951 Constitution Avenue, NW., Washington, D.C. 20240, with one copy to the Regional Director, Office of Surface Mining, U.S. Department of the Interior, Brooks Tower, 1020 15th Street, Denver, Colorado 80201. Copies of the New Mexico laws and regulations referred to in the proposed agreement are available for inspection in the Denver, Colorado Office and in Room

135, South Interior Building, Washington, D.C., and in the Energy and Minerals Department, Division of Mining and Minerals, First Northern Plaza East (Room 200) Santa Fe, New Mexico 87501.

FOR FURTHER INFORMATION CONTACT: Donald Crane, Regional Director, Region V, Office of Surface Mining, Brooks Tower, 1020 15th Street, Denver, Colorado 80201, (303) 837-5421.

SUPPLEMENTARY INFORMATION: This notice announces two proposed actions. The first is to amend 30 CFR 211.75(c)(3) to permit States having terminated cooperative agreements to request the Secretary to reinstate those agreements. The second is to modify and reinstate the cooperative agreement, published at 30 CFR 211.77(c) between the State of New Mexico and the Secretary.

1. Regulations (30 CFR 211.75(c)(3)) currently provide that a governor who wishes to modify a cooperative agreement existing on August 3, 1977, must notify the Secretary of the State's intent to modify the cooperative agreement. Such notice must have been received by the Secretary prior to December 31, 1977, and the modification agreed to within 90 days of the date of publication (August 22, 1978) of amended 30 CFR Part 211.

Four of the six States having existing cooperative agreements on August 3, 1977, met all the requirements for modifying their cooperative agreements. One State, New Mexico, notified the Secretary, within the time-frame allowed, of their intent to modify their existing agreement. The necessary modifications, however, were not agreed to within the 90 day period allowed. The agreement was, therefore, terminated by operation of law.

New Mexico has requested that their terminated agreement be reinstated. Having evaluated the request, the Secretary believes that reinstatement of the agreement with New Mexico would aid in preventing duality of administration and enforcement in the regulation of surface coal mining and reclamation activities in the State. Furthermore, reinstatement of the cooperative agreement will permit a more uniform application of reclamation requirements on Federal lands. Reinstatement of the New Mexico agreement could, thus, reduce the administrative costs of implementing the program and would reduce possible operator confusion by having a single set of standards for all lands within a State. For these reasons, the Secretary proposes to amend 30 CFR 211.75(c)(3) to permit New Mexico to have its terminated agreement reinstated,

provided that the agreement is modified to permit full compliance with the initial regulatory program, as required by Section 523(c) of the Act.

2. As indicated, the State of New Mexico notified the Secretary of its intent to modify the agreement existing as of August 3, 1977. The agreement, however, was not modified because the Secretary determined that New Mexico did not have the legal authority to enforce the initial regulatory program. Consequently, the agreement terminated on November 21, 1978.

In 1979, the New Mexico legislature enacted the Coal Surface Mining Act (Laws of New Mexico, 1979, Chapter 291, effective June 15, 1979). Section 5 of this Act (69-25A-5. *Regulations*) directs the Coal Surface Mining Commission to adopt and file regulations to implement the Act. The Act also provides that such regulations shall include regulations governing surface coal mining during the period corresponding to the interim regulatory program under the Surface Mining Act. The New Mexico Coal Surface Mining Commission adopted regulations (Rule 79-1) on June 14, 1979 to meet these requirements.

Based on New Mexico's new law and regulations, the Governor has requested to modify and reinstate the existing cooperative agreement. The Secretary has determined that the new State law and regulations meet all of the requirements of Section 423(c) of the Act and that it is in the public interest to enter into a modified cooperative agreement with New Mexico.

The existing agreement between the Secretary and the State of New Mexico would be modified to: (1) Adopt as substantive Federal law, new State statutes and amended regulations containing new environmental protection standards and reclamation requirements applicable to surface coal mining and reclamation operations; (2) require the State Regulatory Authority to exercise State enforcement powers on Federal lands to achieve results consistent with those which would be achieved by Federal enforcement pursuant to § 521 of the Surface Mining Act; (3) clarify the procedures for the cooperative review and approval of mining and reclamation plans for surface coal mining and reclamation operations on Federal lands; (4) provide for the termination of the agreement in the event the State does not implement the permanent Federal lands program or receive approval of a State program pursuant to § 503 of the Surface Mining Act and (5) establish procedures for performance bonding. The agreement does not apply to Indian lands within the State.

The basic purpose of the agreement is to reduce duplication of Federal and State regulation of surface coal mining and reclamation activities on Federal lands in New Mexico. To achieve that goal, the Agreement sets forth specific terms for the administration and enforcement of surface coal mining operations on Federal lands. Along with those summarized below, the Agreement identifies the New Mexico Energy and Minerals Department as the sole agency to act on behalf of the State. The Agreement also stipulates that the State regulatory authority has the authority and necessary funding, equipment, and personnel to implement the Agreement. In keeping with its cooperative nature, the Agreement specifies how the Department and the State of New Mexico will exchange information concerning their activities and organizations relative to surface coal mining operations.

a. *State Standards.* Prior to the signing of this Cooperative Agreement, New Mexico adopted new legislation and amended or promulgated new regulations to implement all applicable portions of the Surface Mining Act. New Mexico's new laws and regulations relating to environmental protection and reclamation standards, as set forth in Appendix A of the proposed cooperative agreement, are as stringent as the Federal standards in 30 CFR Part 211. The review of New Mexico's regulations did not include a determination whether any standard is more stringent than the comparable Federal standard. Such a determination would be made pursuant to § 211.75(a) of Title 30 CFR upon the receipt of an application from the State.

New Mexico regulations listed in the Appendix contain a few references to Secretarial functions on Federal lands [Section 23 (j) (4) and (5) and Section 26(a)(3)]. These references are not intended to constitute a delegation of these Secretarial functions to the State.

New Mexico acknowledges that the standards in Sections 23 and 35 are not presently enjoined on the basis of superseding, amending, repealing or modifying the provisions of the Federal Water Pollution Control Act and its regulations.

Sections 23(c)(1) and 35(c)(1) of the New Mexico regulations contain a typographical error. These sections reference a one-year, rather than a 10-year recurrence interval as intended. The State is correcting this error.

Section 26(d) of the New Mexico regulations corresponds to 30 CFR 715.20(d) of the Department's initial regulatory program. These corresponding requirements pertain to mulching. Section 26(d) of the New

Mexico regulations differs from 30 CFR 715.20 somewhat, because it provides that mulching requirements may be omitted where irrigation is used during the initial period for establishing vegetation and where the operator can demonstrate that revegetation using this method is equal to or better than that which would result if mulch were used. Eliminating the mulching requirement must be approved by the regulatory authority. Although the mulching exemption is not specifically provided for in 30 CFR 715.20(d), of the initial regulatory program it is provided for in 30 CFR 816.114 of the permanent regulatory program. This section states that on a case-by-case basis, the regulatory authority may suspend the requirement for mulch if the permittee can demonstrate that alternative procedures will achieve revegetation requirements and do not cause or contribute to air or water pollution. Thus, Section 26(d) of the New Mexico regulations is compatible with the Department's permanent program requirements. Additionally, the Secretary proposes to require the State of New Mexico to develop specific criteria for identifying and describing the circumstances under which the mulching requirement may be suspended and for developing criteria for evaluating the alternative of mulching. The Secretary believes these procedures will provide a level of environmental protection comparable to that afforded by the initial regulatory program. The public is specifically invited to comment on the appropriateness of including these criteria as a condition of the proposed New Mexico State/Federal cooperative agreement.

b. *Adoption as Federal Law.* Publication of New Mexico's modified and reinstated cooperative agreement as a final rule would authorize State jurisdiction over surface coal mining and reclamation operations on Federal lands thereby establishing a uniform regulatory program for mining operations involving State and Federal lands. State jurisdiction over mining operations on Federal lands would be exercised pursuant to the requirements of State law for reviewing of mining plans, bonding and enforcing the terms and conditions of the permit. The application of State law and standards to Federal lands would be achieved through the adoption of specific provisions of the State statute and the State regulations, identified in Appendix A of the proposed agreement, as substantive Federal law enforceable by both New Mexico and the Secretary.

c. *Enforcement Procedures.* To fully comply with the initial regulatory procedures in § 502 of the Surface Mining Act, the cooperative agreement requires New Mexico to take enforcement actions on Federal lands consistent with those required of the Secretary under § 502(e) and 521 of the Surface Mining Act. The proposed cooperative agreement preserves the power of the Secretary to inspect for violations of Federal law or the requirements of Appendix A and to initiate enforcement under the Surface Mining Act. This reservation of authority preserves the system of dual enforcement on State and private lands during the initial regulatory program. The Secretary has reserved the authority to approve mining plans, to designate lands unsuitable for mining, and to regulate other activities on Federal lands.

d. *Effective Date.* The Secretary of the Interior and Governor of New Mexico have signed the Cooperative Agreement. The Agreement, however, will not become effective until published as final rulemaking. Early signature merely reflects concurrence between the Secretary and the Governor on the terms of the Agreement. Such concurrence is not intended to preclude amendments which may be necessary as a result of public comment.

e. *Significance.* The Department of the Interior has determined that this document is not a significant rule and does not require a regulatory analysis under Executive Order 12044 and 43 CFR Part 14. The "Determination of Significance" document prepared by the Office of Surface Mining concludes that the modified and reinstated cooperative agreement between the State of New Mexico and the Department does not incorporate any changes or revisions which would impose a major social, economic, or recordkeeping burden on any level of Federal, State, or local government or industry. Further, adoption of this proposed cooperative agreement would be a part of the Secretary's implementation of the Federal lands program. Pursuant to section 702(d) of the Act, such action would not constitute a major action within the meaning of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332); therefore, an environmental assessment is not necessary. A copy of this determination is available at the Office of the Director, Room 212 South Interior Building, Washington, D.C. 20240.

f. *Drafting Information.* Principal authors of this document are: Donald Crane, Regional Director, Region V,

Office of Surface Mining and Howard Roitman, Assistant Regional Solicitor, Office of the Solicitor, Denver, Colorado.

Dated: April 16, 1980.

David A. Schuenke,

Deputy Assistant Secretary for Energy and Minerals.

1. It is proposed that the Department reinstate and revise a cooperative agreement published at 30 CFR 211.77(c) to permit the State of New Mexico to administer surface coal mining and reclamation operations on Federal lands in New Mexico to read as follows:

Cooperative Agreement

(c) *New Mexico.* The State of New Mexico and the Department of the Interior enter into a State/Federal Cooperative Agreement to read as follows:

Cooperative Agreement between the United States Department of the Interior and the State of New Mexico under Section 523(c) of the Surface Mining Control and Reclamation Act of 1977, Pub. L. 95-87 (hereinafter referred to as the "Act"), 30 U.S.C. 1273(c), between the State of New Mexico (hereinafter referred to as the State), acting by and through Bruce King, Governor (hereinafter referred to as the Governor), and the United States Department of the Interior acting by and through the Secretary of the Interior (hereinafter referred to as the Secretary).

Article I. Purpose

This Cooperative Agreement provides for a cooperative program between the United States Department of the Interior and the State of New Mexico with respect to regulation of surface coal mining and reclamation operations on Federal lands within the State of New Mexico. The basic purpose of this Agreement is to reduce duality of administration and enforcement of surface reclamation requirements by providing for State review and approval of mining and reclamation plans for operations on Federal lands, subject to the Secretary's authority to approve mine and reclamation plans on Federal lands and State regulation of surface coal mining and reclamation operations on Federal lands within the State.

Article II. Effective Date

This Cooperative Agreement is effective following signing by the Secretary and the Governor, approval by the New Mexico Energy and Minerals Department, and upon final publication as rulemaking in the Federal Register.

Article III. Requirements for Cooperative Agreement

The Governor and the Secretary affirm that they will comply with all of the provisions of this Cooperative Agreement and will continue to meet all the conditions and requirements specified in this Article.

A. *Responsible Administrative Agency.* The Energy and Minerals Department of the State of New Mexico (hereinafter referred to as the "State Regulatory Authority") is, and shall continue to be, the sole agency responsible for administering this Cooperative Agreement on behalf of the Governor on Federal lands throughout the State.

B. *Authority of State Agency.* The State Regulatory Authority designated in paragraph A of this Article has, and shall continue to have, authority under State law to carry out this Cooperative Agreement.

C. *State Reclamation Law.* Enforcement of the environmental performance standards and reclamation requirements of the New Mexico Surface Mining Act and the regulations promulgated pursuant thereto as set forth in Appendix A of this Cooperative Agreement will provide protection of the environment at least as stringent as would occur under the exclusive application of the standards and procedures set forth in the Act, and the regulations promulgated thereunder.

D. *Effectiveness of State Procedures.* The procedures of the State for enforcing the requirements contained in Appendix A are and shall continue to be as effective as the procedures of the Department of the Interior.

E. *Inspection of Mines.* The Governor affirms that the State will inspect all surface coal mining operations on Federal lands located in the State, in accordance with the minimum schedules in Article V.

F. *Enforcement.* The State affirms that it will enforce the requirements contained in Appendix A in a manner that ensures effective protection of the environment and public health and safety consistent with the requirements of Article VI of this Agreement.

G. *Funds.* The State has devoted, and will continue to devote, adequate funds to the administration and enforcement of the requirements contained in Appendix A of this Cooperative Agreement. If the State Regulatory Authority complies with the terms of this Agreement, and if necessary funds have been appropriated, the Secretary shall reimburse the State as provided in Section 502(e)(4) of the Act, for costs associated with carrying out

responsibilities under this Cooperative agreement. Reimbursement grants shall be made at least on an annual basis. The Secretary shall advise the State Regulatory Authority within a reasonable period of time after the effective date of this modification of the amount the Federal Government would have expended if the State had not entered into this Cooperative Agreement.

H. *Reports and Records.* The State Regulatory Authority shall make reports to the Secretary containing information respecting its compliance with the terms of this Cooperative Agreement, as the Secretary shall from time to time require. The State Regulatory Authority and the Secretary shall exchange, upon request, information developed under the Cooperative Agreement.

I. *Personnel.* The State Regulatory Authority shall have the necessary personnel to fully implement this Cooperative Agreement in accordance with the provisions of the Act.

J. *Equipment and Laboratories.* The State Regulatory Authority shall have equipment, laboratories, and facilities with which all inspections, investigations, studies, tests, and analyses, can be performed or determined, and which are necessary to carry out the requirements of the Cooperative Agreement, or have access to such facilities and personnel.

Article IV. Mining and Reclamation Plans

A. State and Federal laws and regulations require the operator on Federal lands leased, permitted, or licensed for surface coal mining operations to receive approval from the State Regulatory Authority and the Secretary of a mining plan and permit prior to conducting operations.

B. *Contents of Mining Plans and Permits.* The Governor and the Secretary agree, and hereby require that an operator on Federal lands shall submit an identical mining and reclamation plan and State permit application to the State and the Secretary, which plan and permit application shall be in the form required by the State Regulatory Authority and include any supplemental data or information required by the Secretary. Such plan and application shall include the following information:

1. The information required by, or necessary for the State Regulatory Authority and the Secretary to make a determination of compliance with:
 - a. Section 69-25A-10 and 14 N.M.S.A., 1978 (1979 Replacement Pamphlet).
 - b. The Energy and Minerals Department Rule 79-1, Section 2.

c. The Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 *et seq.*; 91 Stat. 445) and the regulations promulgated pursuant thereto, to the extent not otherwise required by 1 (a) and (b) above.

d. The Mineral Leasing Act of 1920, as amended, 30 U.S.C. 181 *et seq.*

e. The requirements of 30 CFR 211.10.

f. Applicable terms and conditions of the lease unless such conditions would be contrary to the requirements of the Act.

g. Applicable requirements of other Federal laws.

2. A statement certifying that identical copies of the mining and reclamation plan and permit application have been given to both the State Regulatory Authority and the Secretary.

C. The State Regulatory Authority and the Office of Surface Mining on behalf of the Secretary shall review and act upon each mining and reclamation plan and permit application, or modifications or revisions thereto, in accordance with the Protocol for Cooperative Review of Mining and Reclamation Plans, attached hereto and incorporated as a part of this Cooperative Agreement. The parties may review and mutually revise said Protocol, as deemed necessary, in accordance with the terms of Article XI of this Agreement to the contrary notwithstanding. Any revisions to the Protocol shall become effective upon notice published in the Federal Register.

D. When acting upon mining and reclamation plans and permits, or modifications or revisions thereto, the State Regulatory Authority and the Secretary agree that neither of them will approve any plan and permit, or modification or revision thereto, which fails to comply with the requirements of the laws and regulations listed in paragraph B.1 of this Article. The State Regulatory Authority shall promptly notify the Secretary and the applicant of its action on the application. If the application is disapproved, a notice shall be sent to the applicant along with a statement of findings and conclusions in support of the action. The State Regulatory Authority shall in any approved plan, permit, or amendment, reserve the right to amend or rescind its action to conform with action taken or with terms or conditions imposed by the Secretary, and agreed to by the State Regulatory Authority, as a basis of his approval. The Secretary shall not delete any requirements included in the State Regulatory Authority's approval without the consent of the State. Prior to the Secretary disapproving the mining and reclamation plan, permit or request for amendment, in whole or in part, the Secretary shall consult with the State

Regulatory Authority for the purpose of reaching agreement on revisions to the plan, permit, or amendment, to the extent allowable under State and Federal law.

When acting on a mine plan, the Secretary reserves the right to impose such additional conditions or requirements not required by the Act or Appendix A of this Cooperative Agreement which are authorized or required by law or by his general authority to supervise the activities of persons on Federal lands.

Article V. Inspections

A. The State Regulatory Authority shall inspect without prior notice to the operator, as authorized by New Mexico State law as frequently as necessary, but at least quarterly, the area of operations as defined by the approved mining and reclamation plan, the permit area of the applicable State permit, and any other areas outside the area of operations which are or may be affected by the surface coal mining and reclamation operations on Federal lands. Such inspections shall be conducted for the purpose of determining whether the operator has complied with all applicable requirements of the Act and Appendix A hereof, and all environmental and reclamation requirements of approved mining and reclamation plans or permits, but not to determine compliance with development or diligent production requirements established under the Mineral Leasing Act, as amended, or to regulate other activities on Federal lands not subject to the Act.

B. The State Regulatory Authority will, subsequent to conducting any inspection, prepare a report adequately describing (1) the general conditions of the lands under lease, permit or license, (2) the manner in which the operations are being conducted, and (3) whether the operator is complying with applicable performance and reclamation requirements. A copy of this inspection report shall be furnished to the Secretary in accordance with regulations adopted pursuant to the Surface Mining Control and Reclamation Act. A copy of this report shall be furnished to the operator and shall be made available for public inspection during normal business hours at the office of the State Regulatory Authority and the Office of Surface Mining.

C. For the purpose of evaluating the manner in which this Cooperative Agreement is being carried out and to insure that performance and reclamation standards are being met, the Secretary may conduct inspections of surface coal mining and reclamation

operations on Federal lands, and shall promptly provide the State Regulatory Authority with a copy of the Federal inspection report. Inspections by the Secretary may be made in association with regular inspections by the State.

D. The Secretary may also conduct inspections to determine whether the operator is complying with requirements that are unrelated to environmental protection and reclamation.

E. Personnel of the State and representatives of the Secretary shall be available to serve as witnesses in enforcement actions taken by either party.

Article VI. Enforcement

A. If the State Regulatory Authority finds any conditions or practices, or violations of the Act, the requirements of Appendix A hereof, or of an approved mining and reclamation plan or permit, which would authorize the issuance of an order of cessation under section 521(a)(2) of the Act, the State Regulatory Authority shall immediately exercise the discretion authorized by Section 69-25A-25A N.M.S.A. 1978 to issue a cessation order halting mining and reclamation operations or the portion thereof relevant to the condition, practices or violation.

B. 1. When, during any inspection, any representative of the State Regulatory Authority determines that any operator is in violation of the Act, and requirement of Appendix A, or any requirement of an approved mining and reclamation plan or permit, but such violation would not require an action in accordance with paragraph A of this Article, the representative shall issue a notice and abatement schedule to the operator pursuant to section 69-25A-25B N.M.S.A. 1978 which shall be consistent with the requirements of section 521(a)(3) of the Act.

2. When a notice of violation has been issued under B(1) of this Article and a representative of the State Regulatory Authority determines that the operator has failed to abate the violation within the time fixed or subsequently extended consistent with section 521(a)(3) of the Act, the representative shall immediately exercise the discretion authorized by section 69-25A-25A N.M.S.A. 1978 to order a cessation of mining and reclamation operations or the portion thereof relevant to the violation, until the violation has been abated.

C. The State shall promptly notify the Secretary of all violations of applicable laws, regulations, orders, approved mining and reclamation plans and permits subject to this Agreement and of

all actions taken with respect to such violations.

D. This Agreement does not limit the Secretary's authority to seek cancellation of Federal coal lease under Federal laws and regulations, or prevent the Secretary from taking appropriate legal or other actions to correct conditions or practices that violate any requirement under Federal law or Appendix A incorporated into Federal law as a part of this Cooperative Agreement, or to suspend or revoke the right to mine in accordance with 30 CFR 211.72 or assess civil penalties in accordance with 30 CFR 211.78.

E. Failure of the State Regulatory Authority to enforce approved mining and reclamation plans, permits and applicable laws and standards and regulations in accordance with this Agreement, shall be grounds for termination of this Cooperative Agreement.

Article VII. Bonds

A. *Amount and Responsibility.* The State Regulatory Authority and the Secretary shall require all operators on Federal lands to submit a single bond payable to both the United States and the State Regulatory Authority. Such bond shall be of sufficient amount to comply with the requirements of both State and Federal law and shall be conditional upon compliance with all applicable requirements of Federal law and Appendix A hereof.

B. *Notification.* Prior to releasing the operator from his obligations under the bond required by State law for Federal lands, the State Regulatory Authority shall consult with and obtain the advice and consent of the Secretary.

C. *Release of Bond.* The State Regulatory Authority shall hold the operator responsible and liable for successful reclamation as required by State law.

D. *Forfeiture.* Either the State Regulatory Authority or the Secretary may forfeit the bond under State or Federal law.

Article VIII. Opportunity To Comply With Cooperative Agreement

The Secretary may, in his sole discretion, and without instituting or commencing proceedings for withdrawal of approval of the Cooperative Agreement, notify the State Agency that it has failed to comply with the provisions of the Cooperative Agreement. The Secretary shall specify how the State has failed to comply and shall specify the period of time within which the defects in administration shall be remedied and satisfactory evidence presented to him that the State remedied

the defects in administration and is in compliance with and has met the requirements of the Secretary. The period of time specified shall not be less than 30 days. Upon failure of the State Agency to meet the requirements of the Secretary within the time specified, the Secretary may institute proceedings for withdrawal of approval of the Cooperative Agreement as set forth in Article IX.

Article IX. Termination of Cooperative Agreement

This Cooperative Agreement may be terminated as follows:

A. *Termination by the State.* The Cooperative Agreement may be terminated by the State upon written notice from the Governor, to the Secretary, specifying the date upon which the Cooperative Agreement shall be terminated, but which date of termination shall not be less than 90 days from the date of the notice.

B. *Termination by the Secretary.* The Cooperative Agreement may be terminated by the Secretary pursuant to paragraphs D, E, and F of this Article whenever the Secretary finds, after giving due notice to the Governor and the State Regulatory Authority and affording the State Regulatory Authority an opportunity for a hearing:

1. That the State Regulatory Authority has failed to comply substantially with a provision of this Cooperative Agreement, or

2. That the State Regulatory Authority has failed to comply with any assurance given by the State upon which this Cooperative Agreement is based, or any condition or requirement which is specified in Article III.

3. Following promulgation of a Federal lands program pursuant to Section 523(a) of the Act in the event the Secretary determines in writing that New Mexico lacks the necessary personnel, legal authority, or funding to fully implement the Federal lands program in accordance with the provisions of the Act.

C. *Termination by Operation of Law.* This Cooperative Agreement shall terminate by operation of law under any of the following circumstances:

1. When no longer authorized by Federal laws and regulations or New Mexico laws and regulations;

2. When a permanent State program is disapproved and the State has failed to remedy the deficiencies within the time allowed by Section 503(c) of the Act, or where a Federal program for the State is promulgated and implemented pursuant to Sec. 504 of the Act.

3. Within 120 days of the approval of a permanent State program pursuant to section 503 of the Act.

D. *Notice of Proposed Termination.* Whenever the Secretary proposes to terminate the Cooperative Agreement he shall:

1. Give written notice to the Governor and to the State Regulatory Authority specified in Article III.

2. Specify and set out in the written notice the grounds upon which he proposes to terminate this Cooperative Agreement.

3. The Secretary shall also publish a notice in the *Federal Register* containing items 1 and 2 of this paragraph, and specifying a minimum of 30 days for comment by interested persons.

E. *Opportunity for Hearing.* Whenever the Secretary proposes to terminate this Cooperative Agreement pursuant to paragraph B hereof, in addition to the notice required by paragraph D, he shall:

1. Specify in the notices required by paragraph D the date and place where the State will be afforded an opportunity for hearing and to show cause why this Cooperative Agreement should not be terminated by the Secretary. The date of such hearing shall be not less than 30 days from the date of the publication in the *Federal Register*, and the place shall be in the State.

2. Within thirty (30) days of the written notice specifying the date of the hearing, the State shall file a written notice with the Secretary stating whether or not it will appear and participate in the hearing. The notice shall specify the issues and grounds specified by the Secretary for termination which the State will oppose or contest and a statement of its reasons and grounds for opposing or contesting. Failure to file a written notice in the Office of the Secretary within thirty (30) days shall constitute a waiver of the opportunity for hearing, but the State may present or submit before the time fixed for the hearing written arguments and reasons why the Cooperative Agreement should not be terminated, and within the discretion of the Secretary may be permitted to appear and confer in person and present oral or written statements and other documents relative to the proposed termination.

3. The hearing will be conducted by the Secretary. A record shall be made of the hearing and the State shall be entitled to obtain a copy of the transcript. The State shall be entitled to have legal and technical and other representatives present at the hearing or conference, and may present, either orally or in writing, evidence, information, testimony, documents, records, and materials as may be

relevant and material to the issues involved.

F. Notice of Withdrawal of Approval of Cooperative Agreement. 1. After a hearing has been held with respect to a proposed termination of this Agreement under paragraph B of this Article, or the right to a hearing has been waived or forfeited by the State, the Secretary, after consideration of the evidence, information, testimony, and arguments presented to him shall advise the State of his decision. If the Secretary determines to withdraw approval of this Cooperative Agreement, he shall notify the State Regulatory Authority of his intended withdrawal of approval of the Cooperative Agreement, and afford the State an opportunity to present evidence satisfactory to the Secretary that the State has remedied the specified defects in its administration of this Cooperative Agreement. The Secretary shall state the period of time within which the defects in administration shall be remedied and satisfactory evidence presented to him, and upon failure of the State to do so within the time stated, the Secretary may thereupon withdraw his approval of the Cooperative Agreement without any further opportunity afforded to the State for a hearing.

2. After the close of the comment period required by paragraph D. 3. of this Article with respect to a proposal to terminate this Cooperative Agreement pursuant to paragraph C. of this Article, the Secretary shall consider the comments received and after a review of the questions of law presented, shall publish notice of final action, either terminating the Cooperative Agreement or withdrawing the proposed termination, and stating the reasons therefor.

G. Nothing in this Article shall be construed as a waiver of any right the State Regulatory Authority may have to seek judicial review of any decision by the Secretary to terminate this Cooperative Agreement.

Article X. Reinstatement of Cooperative Agreement

If this Cooperative Agreement has been terminated, for cause, pursuant to paragraph B of Article IX, it may be reinstated upon application by the State and upon giving evidence satisfactory to the Secretary that the State can and will comply with all the provisions of the Cooperative Agreement, and has remedied all defects in administration for which this Cooperative Agreement was terminated.

Article XI. Amendments of Cooperative Agreement

This Cooperative Agreement may be amended by mutual agreement of the Governor and the Secretary. An amendment proposed by one shall be submitted to the other with a statement of the reasons for such proposed amendment. The amendment shall be adopted after rulemaking and the party to whom the proposed amendment is submitted shall signify its acceptance or rejection of the proposed amendment, and if rejected shall state the reasons for rejection.

Article XII. Changes in State or Federal Standards

The Secretary of the Interior and/or the State Regulatory Authority may from time to time revise and promulgate new or revised performance or reclamation requirements or enforcement and administration procedures. The Secretary and the Governor shall immediately inform the other of any final changes in their respective laws or regulations. Each party shall, if it determines it to be necessary to keep this Cooperative Agreement in force, change or revise its respective laws or regulations. For changes which may be accomplished by rulemaking, each party shall have six months to make such changes. For changes which may require legislative authorization, the State has until the close of its next legislative session at which such legislation can be considered in which to make changes. If changes which are necessary for the State to have authority to administer and enforce Federal requirements are not made, then the termination provision of Article IX, paragraph C., may be invoked, provided, however, that the State shall be given reasonable and necessary time to make the required changes as set forth in this paragraph.

Article XIII. Conflict of Interest

The State Regulatory Authority shall require its employees to comply with the requirements of 30 CFR Part 705.

Article XIV. Exchange of Information

A. Organizational and Functional Statement. The State Regulatory Authority and the Secretary shall advise each other of the organization, structure, functions, and duties of the offices, departments, divisions, and persons within their organizations. Each shall promptly advise the other in writing of changes in key personnel, officials, heads of a department or division, or a change in the functions or duties of persons occupying the principal offices within the organization. The State

Regulatory Authority and the Secretary shall advise each other in writing of the location of its various offices, addresses, telephone numbers, and the names, location, telephone numbers of their respective mine inspectors and the area within the State for which such inspectors are responsible, and of any changes in such.

B. Laws, Rules and Regulations. The State Regulatory Authority and the Secretary shall provide each other with copies of their respective laws, rules and regulations and standards pertaining to the enforcement and administration of this Cooperative Agreement and promptly furnish copies of any final revision of such laws, rules, regulations and standards when the revision becomes effective.

Article XV. Reservation of Rights

This Cooperative Agreement shall not be construed as waiving or preventing the assertion of any rights the Governor and the Secretary may have under the Mineral Leasing Act, as amended, the Mineral Leasing Act for Acquired Lands, the Federal Land Policy and Management Act of 1976, the Surface Mining Control and Reclamation Act of 1977, the Constitution of the United States, the Constitution of the State or State laws, nor shall this Agreement be construed so as to result in the transfer of the Secretary's duties under sections 2(a), 2(b), and 2(a)(3) of the Mineral Leasing Act, as amended, or his duty to approve mine plans or his responsibilities with respect to the designation of Federal lands as unsuitable for mining in accordance with Section 522 of the Act, or to regulate other activities taking place on Federal lands.

Article XVI. Definition

Terms and phrases used in this Agreement which are defined in 30 CFR Part 700 or Part 710 shall be given the meanings set forth in said definitions.

Dated: February 13, 1980.

Bruce King,

Governor of New Mexico.

Dated: February 13, 1980.

Larry Kehoe,

Secretary, Energy and Minerals Department.

Dated: April 15, 1980.

Cecil D. Andrus,

Secretary of the Interior.

Protocol for Cooperative Review of Mining and Reclamation Plans for Surface Coal Mining and Reclamation Operations on Federal Lands

I. Purpose.

This Protocol is intended by the New Mexico Energy and Minerals

Department (hereinafter the "State Regulatory Authority") and the Secretary to establish procedures governing the conduct of the respective Interior agencies and the State Regulatory Authority regarding the coordinated review of mining and reclamation plans, or modifications or revisions thereto for surface coal mining and reclamation operations on Federal lands pursuant to the Surface Mining Control and Reclamation Act of 1977, Pub. L. 95-87 (hereinafter referred to as the "Act"). These procedures are intended to implement the requirements of Article IV of the State/Federal Cooperative Agreement (hereinafter referred to as "Cooperative Agreement") between the Governor and the Secretary dated (date to be inserted upon final rule publication) and are incorporated therein and made a part thereof.

II. Procedures.

1. Operators shall be required to submit identical copies of mining and reclamation plans and permit applications, or modifications or revisions thereto, to both the State Regulatory Authority and the Regional Director, Denver Region, Office of Surface Mining. The number of copies submitted to the State Regulatory Authority and the Regional Director shall be specified by regulation by each agency and may be changed according to need.

2. The State Regulatory Authority will be the point of contact for operators regarding matters subject to the requirements of the Act and Appendix A of the Cooperative Agreement. Following the initial submission of the mining plan and permit application, all correspondence from the State Regulatory Authority and the Secretary regarding matters subject to the requirements of the Act and Appendix A of the Cooperative Agreement will be coordinated and sent from the State Regulatory Authority on behalf of both. Interior agencies will not independently initiate contacts with operators regarding completeness or deficiencies of plans and applications with respect to matters which are properly within the jurisdiction of a State Regulatory Authority under the Act: *Provided*, That any matters of concern raised on behalf of the Secretary are adequately addressed by the State Regulatory Authority in accordance with the provisions of this Protocol.

3. The Office of Surface Mining will coordinate all activities including coal conservation and postmining land use, relative to the review of mining plans and permit applications for all concerned Interior agencies and will act as the point of contact for

communications between the State Regulatory Authority and the Department of the Interior.

4. Review and evaluation of each mining plan and permit application, or modifications or revisions thereto, and the data or documentation submitted in support thereof, will be conducted jointly by the State Regulatory Authority and the respective Interior agencies having responsibility for review of mine plans. During such review and evaluation, the staffs of the State Regulatory Authority and each Interior agency will coordinate their respective activities through the Office Of Surface Mining by informal contacts as appropriate. When detailed review is deemed to be necessary, Interior agencies may conduct a detailed review of all aspects of the plan and application, or modifications or revisions thereof, but as the program develops, Interior's review will be concentrated on major functions such as hydrology and revegetation, or where special attention is deemed to be necessary.

5. Based upon the coordinated review, the State Regulatory Authority will draft a response letter to the operator outlining the status of the completeness and deficiencies of the plan and application with respect to the requirements of the Act and Appendix A to the Cooperative Agreement. Such draft letter will be sent to the Denver Regional Office, Office of Surface Mining. It will be the goal of the State Regulatory Authority to send such letter within 60 days of receipt of the plan and application. The Office of Surface Mining will, whenever possible, coordinate review of the draft letter on behalf of Interior agencies. It will be the goal of the Office of Surface Mining to communicate to the State Regulatory Authority within 30 days any proposed additions or modifications to the letter. If any such proposed additions or modifications are objected to by the State Regulatory Authority, a meeting will be held between the Regional Director, Office of Surface Mining, and the State Regulatory Authority to resolve the specified objections. If the Regional Director and the State Regulatory Authority cannot resolve such objections, the State Regulatory Authority and the Regional Director shall summarize their disagreement in writing and request a meeting with the Director, Office of Surface Mining, and such other representative of the Secretary as may be appropriate, to discuss a resolution of such objections. Following the resolution of such objections or in the absence of any such

objections, the draft letter will be revised to incorporate the language proposed by the Office of Surface Mining and sent to the operator by the State Regulatory Authority, with a copy to the Regional Director, Office of Surface Mining.

6. The Secretary may at his discretion incorporate into the draft letter any matters related to mining plan review and approval which are not within the jurisdiction of the State Regulatory Authority and which the Secretary is required to address under any Federal statute or regulation other than the Act. The State Regulatory Authority agrees to incorporate such matters into the draft at the Secretary's request. Failure to incorporate such matters into the draft letter shall not deprive the Secretary of the right to contact an operator directly regarding such matters. Whenever written communications regarding such matters are made directly between an Interior agency and an operator, the State Regulatory Authority shall be supplied with a copy.

7. The Secretary, acting by and through the Office of Surface Mining, will be given an opportunity to review and propose additions or modifications to all substantive written correspondence regarding an operator's mining and reclamation plan from the State Regulatory Authority in accordance with paragraph 5 hereof.

8. Copies of all written communications, data, documents, or other information pertinent to a mining permit or permit application will be forwarded to the Office of Surface Mining by the State Regulatory Authority or sent directly to the Office of Surface Mining by the operator when requested to do so by the State Regulatory Authority.

9. The Secretary and the State Regulatory Authority agree to inform each other of any communications received from the operator regarding any matter subject to this Protocol.

10. Either the Secretary or the State Regulatory Authority may request and schedule meetings or site inspections with the operator. No meeting with the operator or site inspection will be scheduled by either the Secretary or the State Regulatory Authority without adequate advance notice to each other.

11. Upon receipt of a mining and reclamation plan and permit application, or major modification or revision thereto, the State Regulatory Authority and the Office of Surface Mining will, when appropriate, cooperate so that one Environmental Assessment and Environmental Review will be produced. When an Environmental Impact Statement is necessary, the State

Regulatory Authority and the Office of Surface Mining will designate, when appropriate, one Environmental Impact Statement team to produce an EIS which will comply with the National Environmental Policy Act.

12. Upon completion of review and evaluation of the plan and application, or modifications or revisions thereto, by the State Regulatory Authority, the State Regulatory Authority shall notify the Regional Director, Office of Surface Mining, of any proposed action to be taken regarding approval or disapproval, including any proposed special conditions or stipulations.

Following notification of the Regional Director of the proposed action, the Regional Director will inform the State Regulatory Authority of concurrence or disagreement with the proposed action. If the Regional Director and the State Regulatory Authority cannot agree upon the proposed action, the State Regulatory Authority and the Regional Director shall summarize their disagreement in writing and request a meeting with the Director, Office of Surface Mining, and such other representative of the Secretary as may be appropriate, to discuss what final action may be appropriate under the circumstances of the case. The parties shall make reasonable efforts to resolve the differences and to reach a mutually agreeable decision on the proposed action.

III. Interpretation.

1. This Protocol shall be construed so as to give effect to the intent of the parties as set out in the Cooperative Agreement of which this is a part. Any words or phrases used in this protocol shall be defined in accordance with Article XVI of said Agreement.

2. If any question of legal interpretation is raised by either party with respect to any matter subject to this Protocol, both the State Regulatory Authority and the Secretary shall defer to the opinion of the State Attorney General where interpretations of State law or regulations are involved, and to opinions of the Solicitor of the Department of Interior where interpretations of Federal law or regulations are involved. This provision shall not be interpreted to prevent either party from challenging in court any opinion or interpretation of the State Attorney General with regard to State law or regulation or Solicitor with regard to Federal law or regulations.

IV. Revisions to Protocol. As a part of the Cooperative Agreement referenced in Part I hereof, this Protocol may be revised at any time during the duration of said Cooperative Agreement with the consent of the appropriate officer of the

State Regulatory Authority and the Regional Director. Such revision shall become effective upon publication in the Federal Register.

Dated: April 15, 1980.

Bruce King,
Governor of New Mexico.

Larry Kehoe,
Secretary, Energy and Minerals Department.

Cecil D. Andrus,
Secretary of the Interior.

Appendix A

This Appendix A identifies the laws of the State of New Mexico and the regulations of the State Regulatory Authority which are incorporated into the 1979 Federal-State Cooperative Agreement between the State of New Mexico and the Secretary of the Interior pursuant to Article III.C. of said Cooperative Agreement. This Appendix is approved as part of the Cooperative Agreement. The requirements contained in the laws and regulations identified in this Appendix shall be applicable to surface coal mining and reclamation operations on Federal lands in accordance with the terms of the Cooperative Agreement. Included in this Appendix are:

1. Laws of the State of New Mexico:

(a) The provisions of the New Mexico Surface Mining Act, Sections 69-25A-1, et seq. being laws of New Mexico 1979 Chapter 291 which are specifically identified in (i)-(xxxiii) hereof:

(i) 69-25A-1 NMSA.

(ii) 69-25A-2 NMSA 1978.

(iii) 69-25A-3 NMSA 1978, provided, however, that the term "prime farmland" shall have the same meaning as that in 30 U.S.C. 1291(20) for purposes of this Cooperative Agreement.

(iv) 69-25A-4 NMSA 1978.

(v) 69-25A-5.

(vi) 69-25A-6.

(vii) 69-25A-7.

(viii) 69-25A-8.

(ix) 69-25A-9.

(x) 69-25A-10: *Provided, however,* That the term "prime farmland" shall have the same meaning as that in 30 U.S.C. 1291(20) for purposes of this Cooperative Agreement.

(xi) 69-25A-11: *Provided,* That no waiver or reduction of the requirements of § 69-25A-11(a) shall be permitted without the express concurrence of the Secretary.

(xii) 69-25A-12.

(xiii) 69-25A-13: *Provided, however,* That any bond or any cash or securities posted in lieu of bond under this section applicable to the performance of duties on or affecting Federal lands shall conform to the requirements of Article VII of this Cooperative Agreement in

addition to the requirements of State law: *And provided further,* That the bond may also be forfeited by the Secretary under Federal law pursuant to Article VII of this Cooperative Agreement.

(xiv) 69-25A-14.

(xv) 69-25A-15.

(xvi) 69-25A-16.

(xvii) 69-25A-17.

(xviii) 69-25A-18.

(xix) 69-25A-19: *Provided, however,* That the term "prime farmland" shall have the same meaning as that in 30 U.S.C. 1291(20) for purposes of this Cooperative Agreement.

(xx) 69-25A-20.

(xxi) 69-25A-21.

(xxii) 69-25A-22: *Provided, however,* That the imposition of a civil or criminal penalty by the State pursuant to this section shall not be construed as barring the Secretary from assessing a civil penalty pursuant to 30 CFR 211.78 or from requesting criminal prosecutions under applicable Federal law.

(xxiii) 69-25A-23: *Provided, however,* That any bond applicable to the performance of duties on Federal lands may be released only on consent of the Secretary in accordance with Article VII of this Cooperative Agreement.

(xxiv) 69-25A-24: *Provided, however,* That this section shall be limited to actions taken by the State under State law in accordance with this Cooperative Agreement, and nothing in this section or this Cooperative Agreement shall be construed so as to create jurisdiction in a state court over actions taken by the Secretary.

(xxv) 69-25A-25.

(xxvi) 69-25A-27.

(xxvii) 69-25A-28.

(xxviii) 69-25A-29: *Provided, however,* That actions by the Secretary are not reviewable by the Director of the Mining and Minerals Division or the Coal Surface Mining Commission pursuant thereto.

(xxix) 69-25A-30: *Provided, however,* That this section shall be limited to actions taken by the State under state law in accordance with this Cooperative Agreement, and nothing in this section or this Cooperative Agreement shall be construed so as to create jurisdiction in a state court over actions taken by the Secretary.

(xxx) 69-25A-31.

(xxxi) 69-25A-32.

(xxxii) 69-25A-33: *Provided, however,* That nothing in this section or this Cooperative Agreement shall be construed to delegate the Secretary's responsibility for approving experimental practices.

(xxxiii) 69-25A-35.

2. Regulations of the New Mexico Energy and Minerals Department adopted by the Coal Surface Mining Commission as Rule 79-1.

April 3, 1980 and the modification agreed to by May 3, 1980.

[FR Doc. 80-12207 Filed 4-18-80; 8:45 am]

BILLING CODE 4310-05-M

§ 211.10 [Amended]

2. In order to implement the proposed agreement, it is proposed that 30 CFR 211.10(e)(3) be revised as follows:

* * * * *

(e) States with § 211.75(c) agreements:

* * * * *

(3) New Mexico. A Federal coal lessee in the State of New Mexico who must submit a mining plan or permit application under both State and Federal law shall submit to the State Regulatory Authority and the Denver Regional Office, Office of Surface Mining, in lieu of the submission required in this section, a mining plan or revision or modification to an approved plan containing the information required by or necessary for the State Regulatory Authority and the Secretary to determine compliance with the statutory, regulatory and other requirements identified in paragraph B1 of Article IV of the modified Cooperative Agreement, and the statement required by paragraph B2 of Article IV of the modified Cooperative Agreement and the requirements of 30 CFR 211.10(c).

§ 211.75 [Amended]

3. It is proposed that 30 CFR 211.75(c)(3) be revised to read as follows:

* * * * *

(c) * * *

(3) The governor of any State that wishes to modify a cooperative agreement existing on August 3, 1977, shall notify the Secretary in writing of the State's intent to modify the cooperative agreement. The notice of intent to modify the cooperative agreement must have been received by the Secretary prior to December 31, 1977, and the modification to the existing cooperative agreement agreed to by November 20, 1978 (90 days from the publication of the August 22, 1978 amended 30 CFR Part 211 regulations). Failure to give notice or to timely complete the modification shall result in termination of any cooperative agreement executed prior to August 3, 1977. On and after December 31, 1979, the governor of any State whose pre-Act existing cooperative agreement is terminated as a result of inability of the parties to complete a modified cooperative agreement may request reinstatement of the terminated cooperative agreement. Such request shall be in writing, must be received by

Federal Register

Monday
April 21, 1980

Part VII

Environmental Protection Agency

Intent To Issue Guidance Concerning
Womens' Business Enterprise Policy for
EPA's Construction Grants Program;
Request for Comments

ENVIRONMENTAL PROTECTION AGENCY

[FRL 1435-3]

Intent To Issue Guidance Concerning Womens' Business Enterprise Policy for EPA's Construction Grants Program; Request for Comments

The Purpose of This Notice

The Environmental Protection Agency (EPA) invites interested persons to review and comment on the policy proposed below, which is designed to increase participation of womens' businesses in EPA's Construction Grants Program.

The Background

As part of its process of implementing the requirements of Executive Order 12138 (May 18, 1979; see 44 FR 29637, May 22, 1979) and Section 13 of the Federal Water Pollution Control Act Amendments of 1972 (33 U.S.C. 1251 note), EPA has developed the proposed policy set forth in the draft Program Requirements Memorandum (PRM) below. The PRM will apply to EPA grantees and their consultants and contractors under the program of assistance for construction of wastewater treatment works authorized by Section 201 of the Clean Water Act (33 U.S.C. 1281). EPA's goal is to make the policy effective on October 1, 1980.

EPA also has developed womens' business enterprise (WBE) policies for its direct contracting activities, and these are being implemented separately.

EPA's first draft of the proposed PRM was circulated for comment to all EPA regional offices and a wide range of interested persons and organizations (including affected professional and business organizations, State and other public agencies, and WBE and non-WBE firms). The proposed policy below reflects changes made in that early draft in response to the views of commentators.

EPA conducted a preliminary review of the status of womens' business enterprise in that portion of the business community which works with planning, design and construction of wastewater treatment facilities. Our review indicates that the number of women-owned construction firms presently constitutes a small percentage of the industry nationally. EPA believes that capable women-owned firms should be involved in the construction grants program to the extent of their current and potential availability in the industry. To accomplish this, an effective approach is to set a goal for participation of women-owned

businesses in some reasonable specified amount of the total dollars spent under construction grants each year. In the earlier draft which was circulated for comment, EPA had specified a national one percent goal, which would increase to three percent in 1982 and 1983. There was widespread concern about how realistic this goal was.

The proposed policy set forth below does not specify a particular goal. EPA has arranged for a study of the present and projected availability of women-owned businesses in the ten EPA regions and, depending on the results of that study, we anticipate that the final policy (which we intend to publish no later than August, 1980) will contain a goal-oriented approach substantially as follows:

- EPA will establish numerical goals for participation of WBE firms, to be applicable beginning in FY 1981.
- The goals will be based on the study.
- There may be different regional or area goals (or other factors such as a minimum project size requirement) depending on the study's analysis of the availability of WBE firms in different geographic and population contexts.

The proposed policy also includes requirements designed to assure that EPA, its grantees and their contractors will use positive outreach efforts to identify and notify women-owned businesses of opportunities in the Construction Grants Program. EPA anticipates that this "outreach" effort, coupled with the incentives created by use of the goals, will lead to substantial increase in participation by women-owned businesses in the Construction Grants Program, and the creation of new women-owned firms.

In response to some comments received, EPA recognizes that WBE firms, particularly newer ones, like all new small businesses may be in need of business training. Such training also directly benefits the Construction Grants Program, since it helps to avoid business failures that can delay projects. EPA will explore ways to provide and assist appropriate training for WBE firms.

The Executive Order defines a "women-owned business" as one which is "at least 51 percent owned by a woman or women who also control and operate it." The ownership requirement can be difficult to administer in States with community property laws. The proposed policy recognizes this difficulty, and the differences in various States' community property laws, by authorizing EPA Regional Administrators to devise implementing

procedures in community property States which will assure that the basic purpose of the Executive Order is met.

EPA has a responsibility to implement new requirements placed on the agency in a way which will produce the least possible disruption and delay on the part of grantees and their consultants and contractors. The policy below was developed with that responsibility in mind. The policy, when effective, will operate only prospectively, and issuance of the final policy document will be accompanied by sufficient lead time to avoid any disruption.

Some commentators on the preliminary draft suggested that the WBE policy be combined with the agency's Minority Business Enterprise (MBE) policy. There are significant differences in the way the two programs are administered, but EPA agrees that there are also enough similarities that the agency should use common requirements where possible to reduce work and paper for all participants. EPA will examine the best way to combine the two policies when it undertakes review of the MBE policy, something which the agency has committed to do in the near future. MBE and WBE policies will also be under review during EPA's imminent 1990 Construction Grants Strategy Study, and as part of an interagency study which will commence soon. EPA Regional Offices will be encouraged to consolidate and simplify reports administration to the maximum extent feasible.

EPA presently is considering initiation of organizational changes which may move some EPA Headquarters responsibilities, including Headquarters oversight of the WBE and MBE programs, from the Office of Civil Rights to an Office of Small and Disadvantaged Business Utilization. The latter office will be established under Pub. L. 95-507. References to organizational responsibilities of the Office of Civil Rights in the document below may be changed, in the final document, to this new office.

Where and When To Send Comments

Any comments received by June 20, 1980, will be considered in developing the final document. Please provide your oral or written comments to Ms. Joan Arnold, Office of the Deputy Administrator (A-101), U.S. Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460, (Telephone 202-755-0540).

Dates and Places of Public Meetings

In addition to receiving written comments, EPA will hold three public meetings to receive comments and

answer questions about the WBE policy. WBE and non-WBE firms, public agency representatives, and other interested persons are encouraged to attend. If you plan to attend and present comments, it would be helpful if you would call the person shown below (so EPA can establish an agenda allotting time to anticipated speakers) and bring a written statement to the meeting. The meetings will be held as follows:

Place	Date and time	Call
Washington, D.C.		
EPA Headquarters, Waterside Mall, room 2409, 401 M Street SW., Washington, D.C.,	April 15, 1980—9 a.m.—Noon.	Joan Arnold: 202/ 755-0540.
Chicago, Illinois		
EPA Regional Office, room 280, 219 S. Dearborn St., Chicago, Ill.,	May 13, 1980—9 a.m.—11 a.m.	Jane Kenneally: 312- 353-2072.
Seattle, Washington		
EPA Regional Office, room 12A, 1200 South Avenue, Seattle, Wash.,	May 14, 1980—9 a.m.—11 a.m.	Diana Doherty: 206- 399-1358.

Dated: April 3, 1980.

Barbara Blum,
Deputy Administrator.

Construction Grants Program Requirements Memorandum; Draft PRM No. 80

Subject: Implementation of Women's
Business Enterprise Support Program.
From: Deputy Administrator, and
Deputy Assistant Administrator for
Water Program Operations.
To: Regional Administrators, Attn:
Water Division Directors.

Purpose: To Establish Policies and
Guidance Related to Use of Women-
Owned Businesses.

Discussion: Executive Order 12138,
issued May 18, 1979, required EPA to
establish a program of appropriate
affirmative action in support of women's
business enterprise, and to prohibit
actions or policies which discriminate
against women-owned businesses on
the ground of sex. EPA will amend its
regulations to include provisions
implementing these requirements.

Policy: The policy of EPA is to
encourage increased participation by
competent women-owned businesses in
contracts, subcontracts and other
subagreements under EPA grants for
construction of wastewater treatment
works. This policy implements
Executive Order 12138 and Section 13 of
the Federal Water Pollution Control Act
Amendments of 1972. The policy is

intended to encourage opportunities for
immediate participation of women-
owned firms in work performed under
construction grants, and to promote the
development and participation of new
women-owned firms. Compliance with
this policy, and the requirements under
"implementation" below, is a condition
of all EPA grants for construction of
wastewater treatment works, within the
limits of the "applicability" provision
below.

Implementation

A. Applicability. The policies and
requirements of this PRM shall be
applicable to all projects for which
assistance is awarded on and after
October 1, 1980. Nothing in this PRM
precludes a grantee, contractor or
consultant from voluntarily
implementing these or similar policies
for prior projects, and EPA encourages
such action.

**B. What Constitutes a Women-Owned
Business.** The term "women-owned
business," and its variations, means a
business which is at least 51 percent
owned by a woman or women who also
control and operate it. "Control" means
exercising the power to make policy
decisions, and "operate" means being
actively involved in day-to-day
management. While EPA believes that
generally good faith will characterize
the representations of firms that they
are, in fact, women-owned and
controlled, EPA and its grantees reserve
the right to review the circumstances
behind the representation (including the
right to request documentation or other
evidence satisfactory to the grantee or
EPA) prior to promoting the firm's
opportunities. Firms which are not *bona
fide* woman-owned and controlled are
not entitled to benefit from the
opportunities under this policy. Those
found not to meet the definition are
subject to sanctions, which include a
finding of nonresponsibility and, in
willful cases, criminal prosecution under
18 U.S.C. 1001. In determining whether the
requisite ownership and control exist,
these are some of the relevant
considerations:

(1) Whether ownership is meaningful;
e.g., whether the woman's ownership
interest is such that the woman owner
can sell the business or liquidate at will,
and the extent to which the interest is
independent of other interests which are
tantamount to a controlling lien on the
woman owner's interest.

(2) The percentage of income going to
the women owners (the amount
generally should be proportionate to
ownership).

(3) Whether there is evidence that the
woman owner participates importantly

in business policy development and
decisions of importance to the business
(e.g., whether there are procedures
requiring her "sign-off" on significant
actions; or whether there is evidence of
substantial change in actions in
response to her comments).

(4) Whether corporate history
indicates that the business, is fact,
woman controlled (e.g., female
ownership prior to competition for a
contract under this policy would be a
factor tending to support validity; on the
other hand, further inquiry might be
appropriate if changes in ownership had
occurred within a few weeks or months
prior to competition, if a change in
ownership involved related persons, or
if the change involved the same parties
in interest—as, e.g., a former female
minority stockholder in a family
business who suddenly becomes a
majority stockholder).

(5) Whether the WBE firm itself will
supply the goods or services under the
proposed contract or subagreement, as
opposed to merely acting as a conduit of
funds to some other, non-WBE entity.
(However, EPA recognizes that there are
legitimate roles for firms as jobbers and
as other intermediaries.)

**C. Regional Administrator's Authority
to Establish Further Criteria.** The
Regional Administrator is authorized to
establish and publish other criteria for
determining what constitutes a WBE
firm, if the requirement of local business
practices or state laws in a region justify
further means of assuring that the
objectives of Executive Order 12138 are
met. In particular, the Regional
Administrator for any Region which
contains one or more states with
community property laws shall establish
and publish any other considerations
the Regional Administrator deems
needed to assure that the woman or
women owners of a firm have a
predominate ownership interest and
control of the firm.

D. Goals for Use of Women-Owned Firms. (1) National Goals. [Reserved]

Note.—See discussion in the introductory
material in this Notice.

(2) **EPA Regional Implementations of
Goals Program.** Each Regional
Administrator shall assure that EPA
responsibilities under this memorandum
are met. The Directors of the Office of
Civil Rights and Urban Affairs (OCRUA)
and the Water Division in each Regional
Office are responsible for making the
maximum feasible efforts to achieve the
national goals in the Region. This
responsibility includes the following
required actions:

(a) Each Water Division Director shall
assist the OCRUA in establishing, with

the Regional Administrator's approval and based on the best available information about current and potential availability of women-owned businesses, specific regional goals consonant with the national goals. Regional goals may be region-wide, or may be focused more narrowly on sub-regional or project-specific areas; for example, a goal greater than the national goal may be appropriate for projects in an urban area found to have many women-owned firms, and a lower goal for an area with few or no women-owned firms reasonably available. In establishing goals, the Region shall solicit views of women-owned businesses, women's organizations, representatives of construction and engineering firms, technical and professional organizations, women's banks, affected public agencies, and the public. The Region shall establish the Regional goals no later than June 20, 1980. Until regional goals are established, the national goal shall be the applicable goal for the whole region. The Region shall reassess the goals at least annually.

Note.—Depending on the results of the study discussed in the introductory material in this Notice, national and regional goals may be made applicable only for projects of some minimum size, or otherwise implemented differently based on reasonable distinctions between projects, geographic areas, or other factors.

(b) Promptly after establishing regional goals in accordance with (a), the Regional Office shall distribute a statement of the goals and this policy to the affected States; grantees; all potential grantees (i.e., those in the fundable portion of the State's project priority list); women-owned firms on the source lists grantees have developed under Paragraph (E); and other appropriate organizations and individuals. This distribution shall be repeated at regular intervals, generally not less than every six months, and whenever goals change.

(c) In administering this PRM, the region shall assure that grantees and their consultants and contractors do not "double count" minority women for purposes of the WBE and MBE goals.

(d) Within 30 days after the Regions have established their goals, Headquarters OCR shall publish all goals as a Notice in the *Federal Register*, with a summary of this policy. Comments on the goals and the policy will be solicited on a continuing basis, and any comments received will be considered in reviewing program implementation and establishing or modifying national and regional goals.

(3) Grantee Implementation of Goals Program. (a) Each grantee shall implement the regional goal applicable to it in one of the following two ways:

(i) The regional goal may be included in each procurement solicitation. This is the preferred method of implementation.

(ii) A different goal may be included in each procurement solicitation, if justified based on the type of work to be performed or the availability of women-owned firms for the specific project. This method of negotiated goals requires the advance approval of the Regional Administrator.

(b) Each grantee must assure that solicitation documents contain the following information:

(i) Clear notice of the applicable goal, including a number or range of numbers, and what the bidder or offeror is obligated to do under the policy.

(ii) How the positive efforts of the bidder or offeror will be evaluated.

(iii) A notice of federal and grantee sanctions for failure to comply with the positive efforts in the solicitation documents.

(iv) A copy of this policy.

(c) The Regional OCRUA has the right to participate in the review of solicitation documents, and to require the grantee to identify corrective measures needed to assure compliance with this policy.

(d) Reasonable costs of WBE liaison services, as determined by the EPA Project Officer, are allowable costs (liaison services are the services of a grantee staff person or other entity which helps the grantee conduct its record-keeping and other responsibilities related to this policy).

E. Grantee Responsibilities. The grantee has primary responsibility for taking positive actions to assure maximum feasible participation by women-owned firms in Step 1,2,3 and 2&3 projects. At a minimum, these positive efforts shall include the following:

(1) In cooperation with the State and appropriate Regional Director of the Office of Civil Rights and Urban Affairs (OCRUA), developing a source list of women-owned businesses which might be interested in seeking a consultancy, contract or other subagreement under the EPA-assisted project, and updating the identification regularly (not less than annually).

(2) Providing the source list of women-owned firms to all prospective consultants and contractors, and informing them of EPA policy on use of women-owned businesses.

(3) Assuring that the women-owned firms on the source list are notified of

prospective procurement actions in sufficient time to respond.

(4) Complying with the requirements for implementation of the goals program (see (D) above).

(5) Assuring that the grantee's contractors, consultants and subcontractors, in their respective procurement actions, also take the actions specified in (3) and (4).

(6) Maintaining records, to be available to EPA and for review by the public, of contracts with women-owned businesses, and awards to such businesses.

F. Responsibilities of Consulting Firms and Contractors. All consulting firms and contractors of the grantee are expected to make positive efforts to identify and use women-owned businesses, in accordance with the policy, goals, and requirements of this memorandum. Such efforts shall include the following:

(1) Extending opportunities to women-owned businesses for subcontracting, joint business arrangements, and provision of equipment, supplies, and services.

(2) Notifying women-owned businesses known on the source list, and other women-owned businesses known to the contractor or consultant, of goals and opportunities to compete for or do business with the contractor or consultant.

(3) Making maximum feasible efforts to meet the goals established under (c) above.

(4) After bid opening or consultant selection, but prior to award, providing the grantee with a WBE participation plan for achieving the applicable WBE goal.

(5) Maintaining records, to be available to the grantee and EPA, of the efforts under paragraphs (1), (2) and (3) and of awards to women-owned firms.

(6) Informing the grantee and EPA of changes in plans to award previously reported proposed subcontracts to women-owned firms.

(7) Requiring each subcontractor to comply in a like manner with the EPA policy.

(8) Meeting the requirements of paragraph (K) below.

G. Responsibilities of EPA. (1) The Director of OCR has designated a Women's Business Enterprise Officer in Headquarters to coordinate with the Office of Water Program Operations in Headquarters and with Regional Water Division Directors and Regional OCRUAs. In consultation with Headquarters OCR, each Regional Administrator has also designated such an Officer for the Regional Office. The Officer will provide assistance and

direction in support of the policy in this memorandum, and, within the limits of available resources, will coordinate an outreach program to identify and inform women-owned businesses which are potential participants in the Construction Grants Program.

(2) Each Regional Administrator shall assure that the policy and requirements in this memorandum are implemented and monitored by Water Division Directors and the Regional OCRUA.

(3) Specific Regional responsibilities include:

(a) Notifying in writing States, grantees, and municipalities in the fundable portion of the State's priority list of this policy.

(b) Reviewing solicitation inserts to assure that this policy is adequately reflected in all solicitations for contracts and other subagreements under grants.

(c) Establishing a process of review and monitoring to assure that grantees, their consultants and their contractors make positive efforts to use women-owned businesses.

(d) Maintaining records on awards of contracts to WBE firms, to be submitted to Headquarters OCRUA by January 1 and June 1 each year.

(e) Developing source lists of WBE firms, in cooperation with grantees, states, and interested persons and organizations.

H. What Women-Owned Firms Should Do. Women-owned businesses should become knowledgeable about and involved in the State and local project planning process under the Construction Grants Program. Women-owned businesses should furnish capability statements to the EPA regional OCRUA, appropriate State and local government agencies, and contractors and consultants doing business in the Construction Grants Program.

I. Sanctions. (1) **Responsibility determination.** In the event a bidder or offeror fails to objectively demonstrate positive efforts to meet the goal established under (D) or to otherwise assure that women-owned firms have maximum feasible opportunity to participate in the construction grant project, the grantee shall request, in writing, that the bidder or offeror provide, within some reasonable time stated by the grantee, (generally within 15 days after bid opening), evidence of positive efforts, or be held nonresponsible (and therefore ineligible to receive an award under the particular procurement action). The EPA Regional OCRUA may, after its review of documents submitted under Paragraph (F) (4) or any other information available to it, instruct the grantee to

issue such a request. If the bidder or offeror fails to comply adequately with the request, the grantee shall determine this bidder or offeror to be nonresponsible, and shall promptly advise the bidder or offeror in writing of this determination and the basis for it. If the bidder or offeror disagrees with this determination, the bidder or offeror may then file a protest under 40 CFR 35.939.

A finding of nonresponsibility on a contract shall not prejudice the right of that bidder or offeror to submit bids or proposals on other EPA-funded projects. However, in determining responsibility, the grantee will consider any evidence it has concerning performance in relation to WBE obligations and goals under other contracts.

(2) **Exceptions.** Notwithstanding paragraph (1), The grantee may allow an award of a contract (with EPA approval) where the bidder or offeror did not demonstrate positive efforts, if (a) delay incident to resolicitation would cause substantial harm to the grantee, and (b) the contract defines specific positive efforts for compliance with this policy (including goals) during contract performance, with appropriate sanctions for failure (e.g., termination or liquidated damages).

(3) **Grantee's failure.** If a grantee fails to meet its obligations under Paragraph (1) above, or fails to meet any other requirement in this memorandum, EPA may declare the grantee nonresponsible under 40 CFR 30.340, deny assistance, or modify, suspend or terminate assistance in accordance with 40 CFR Part 30, Subpart H.

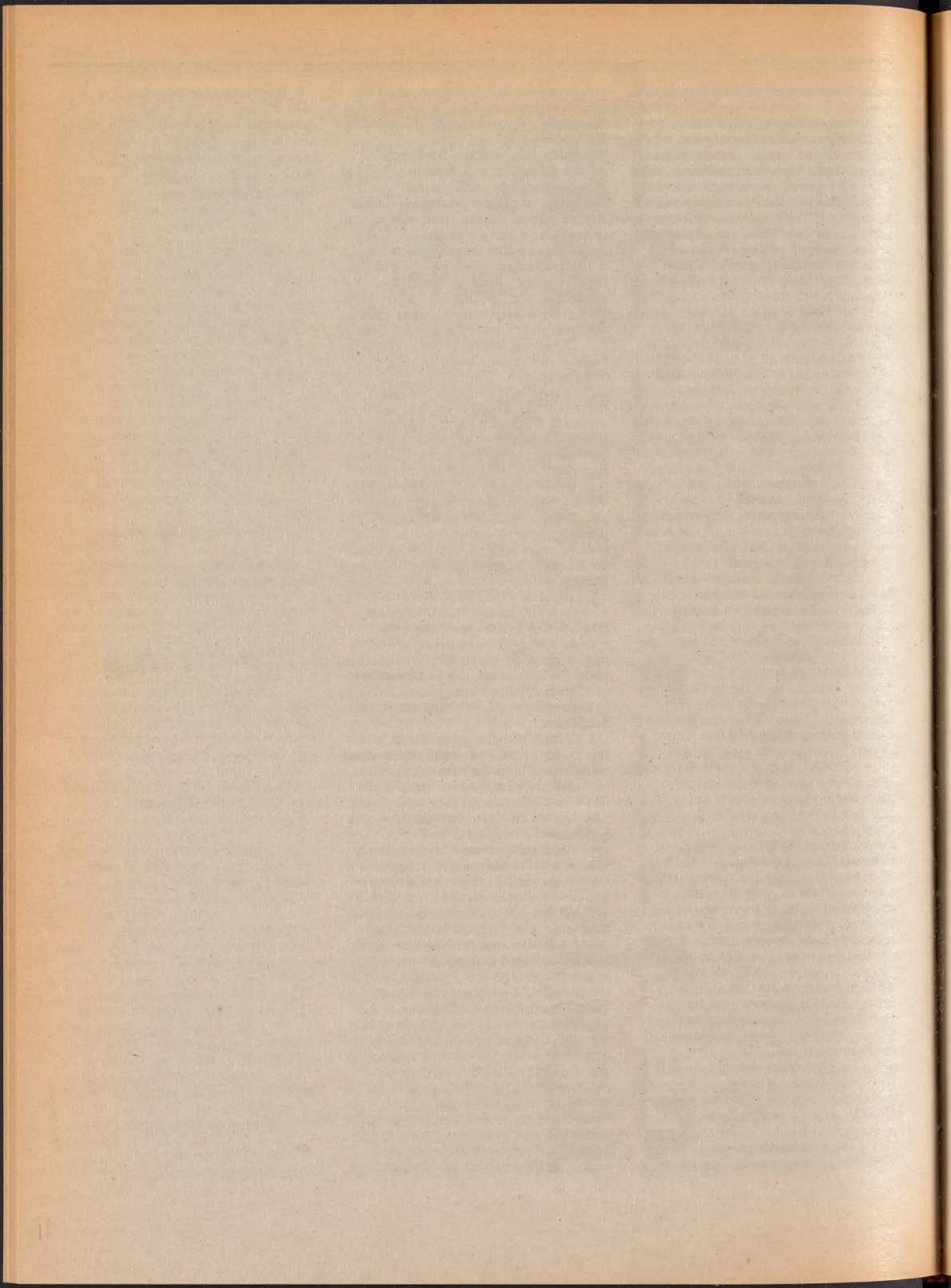
J. Grantee's higher goals. Nothing in this policy prevents a grantee from using goals higher than the national or regional goals for use of women-owned firms in work under EPA grants.

K. Contractors' and Consultants' Responsibilities After Award. If requested, contractors and consultants shall submit to the grantee or EPA copies of or information concerning awards to women-owned firms, and lists of WBE firms contacted and used. From time to time (but not more often than quarterly), the contractor or consultant will be expected to comply with requests from the EPA Regional OCRUA for information on the status of compliance with the policy and requirements in this memorandum. EPA may tailor reporting schedules to the particular goal implementation schedule of the grantee and its consultants and contractors. In the event a consultant or contractor fails to conform to its obligations under this memorandum, the grantee will require corrective efforts or, as appropriate, modify, suspend or terminate the contract or subagreement.

L. Reexamination of policy. On or before October 1, 1983, the Administrator will examine this policy and its implementation and will modify or revoke the policy as appropriate.

[FR Doc. 80-12235 Filed 4-18-80; 8:45 am]

BILLING CODE 6560-01-M



Testis Federal Register

Monday
April 21, 1980

Part VIII

Department of the Treasury

Office of Foreign Assets Control

Iranian Assets Control; Additional
Prohibitions

DEPARTMENT OF TREASURY

Office of Foreign Assets Control

31 CFR Part 535

Iranian Assets Control Regulations;
Additional Prohibitions

AGENCY: Office of Foreign Assets Control, Department of the Treasury.

ACTION: Final rule.

SUMMARY: The Office of Foreign Assets Control is amending the Iranian Assets Control Regulations. The purpose of the amendment is to impose additional prohibitions on dealings with Iran. The need for the amendment is to implement the provisions of Executive Order No. 12211, signed by the President on April 17, 1980. The effect of the amendment is that imports of goods from Iran or of Iranian origin merchandise are prohibited; that payments or transfers of funds or other property to any person in Iran are prohibited; and that payments and transactions in support of travel to and maintenance within Iran of U.S. citizens and U.S. permanent resident aliens are prohibited.

EFFECTIVE DATE: April 17, 1980.

FOR FURTHER INFORMATION CONTACT: Dennis M. O'Connell, Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, Washington, D.C. 20220, Tel. 202/376-0236.

SUPPLEMENTARY INFORMATION: Since the regulations involve a foreign affairs function, the provisions of the Administrative Procedure Act, 5 U.S.C. 553, requiring notice of proposed rule making, opportunity for public participation and delay in effective date are inapplicable.

The prohibition set forth in new § 535.209 on payments and transactions in support of travel to and maintenance within Iran by U.S. citizens and permanent resident aliens does not apply to U.S. citizens or permanent resident aliens who are also citizens of Iran.

Paragraph (a) of new § 535.562 authorizes imports of news material by newsgathering agencies, notwithstanding the prohibitions on imports in § 535.204. Paragraph (b) of § 535.562 authorizes transactions in connection with newsgathering activities of journalists and news correspondents, notwithstanding the travel and maintenance payment restrictions of § 535.209 and the import restrictions of § 535.204 and the prohibitions in § 535.201 on payments or other transfers of property in which Iran or an Iranian entity has an interest.

In addition, new § 535.563 authorizes remittances to any close relative who is a citizen of Iran and who is a resident of and within Iran notwithstanding the new prohibition on the payment or transfer of any funds or other property to any person in Iran. The prohibitions do not affect remittances from Iran.

The new prohibitions on payments or other financial transfers in § 535.206(a)(4) bars any withdrawal from, or debit to, an account within the United States by a person in Iran for purposes of any transfer to any person in Iran. However, such an account is not a blocked account and may be used for payments or transfers within the United States.

31 CFR, Part 535 is amended as follows:

1. § 535.204 is added as follows:

§ 535.204 Imports from Iran or Iranian merchandise.

Except as specifically authorized by the Secretary of the Treasury (or by any person, agency, or instrumentality designated by him) by means of regulations, rulings, instructions, licenses, or otherwise, no merchandise, other goods or services of Iranian origin may be imported into the United States if such merchandise or goods are or have been located in or transported from or through Iran after the effective date of this section.

2. § 535.206 is amended by the addition of paragraph (a)(4) as follows:

§ 535.206 Financial transactions.

(a) * * *

(4) Make any payment, transfer of credit, or other transfer of funds or other property or interests therein to any person in Iran.

3. § 535.208 is amended by the addition of paragraph (c) as follows:

§ 535.208 Evasions; effective date.

* * *

(c) With respect to any amendments of the foregoing sections or any other amendments to this part the term "effective date" shall mean the date of filing with the Federal Register.

4. § 535.209 is added as follows:

§ 535.209 Transactions incident to travel and maintenance of U.S. nationals in Iran prohibited.

(a) The following actions by persons subject to the jurisdiction of the United States are prohibited:

(1) Any direct or indirect payment or transaction (including any transfer, other dealing in, or use of property) either to, by, on behalf of, or other otherwise involving, any foreign country or any national thereof, which is

incident to travel to, or travel or maintenance within Iran of any individual who is a U.S. citizen or U.S. permanent resident alien.

(b) The prohibitions of paragraph (a) of this section do not apply to transactions incident to travel or maintenance within Iran of individuals who are citizens of Iran.

(c) The effective date of this prohibition, as it relates to payments by or for the benefit of U.S. citizens or U.S. permanent resident aliens in Iran is April 24, 1980.

5. § 535.562 is added as follows:

§ 535.562 News material.

(a) *Imports by newsgathering agencies.* The purchase and importation of Iranian origin newspapers, magazines, photographs, films, tapes, and other news material or copies thereof by newsgathering agencies in the United States are authorized, without restriction as to method of payment, provided such materials are intended for use in news publication or news broadcast dissemination.

(b) *Newsgathering activities in Iran by journalists and news correspondents.* The following transactions by a journalist or other person who is regularly employed by a newsgathering or transmitting organization who travels to Iran or is within Iran for the purposes of gathering or transmitting news, filming news or making documentary films, or similar activities are authorized:

(1) Payment of expenses for travel to, and maintenance within, Iran for the purposes of gathering and transmitting news to the United States; and

(2) The acquisition in Iran for transmission to and importation into the United States of newspapers, magazines, photographs, films, tapes, and other news material or copies thereof, necessary for the journalistic assignments.

(3) Within 5 days after engaging in the initial transaction with respect to a trip to or stay within Iran covered by this paragraph, the person engaging in the transaction, or the organization by which such person is employed, shall notify the Office of Foreign Assets Control. The notification shall include the name of the person upon whose behalf the general license is being used. Within 5 days after his departure from Iran, any person utilizing the general license shall send a second notification to the Office of Foreign Assets Control that he has departed Iran.

6. § 535.563 is added as follows:

§ 535.563 Family remittances to Iran.

(a) Remittances to any close relative of the remitter or of the remitter's spouse, who is a citizen of Iran and who is a resident of and within Iran, are authorized provided they do not involve any debit to a blocked account and are for the support of the payee and members of his household.

(b) The term "close relative" used with respect to any person means spouse, child, grandchild, parent, grandparent, uncle, aunt, brother, sister, nephew, neice, or spouse, widow, widower of any of the foregoing.

(c) The term "member of a household" used with respect to any person means a close relative sharing a common dwelling with such person.

Authority: Sec. 201-207, 91 Stat. 1626, 50 U.S.C. 1701-1706; E.O. No. 12170, 44 FR 65729, E.O. No. 12205, 45 FR 24099; E.O. No. 12211, 45 FR 26685.

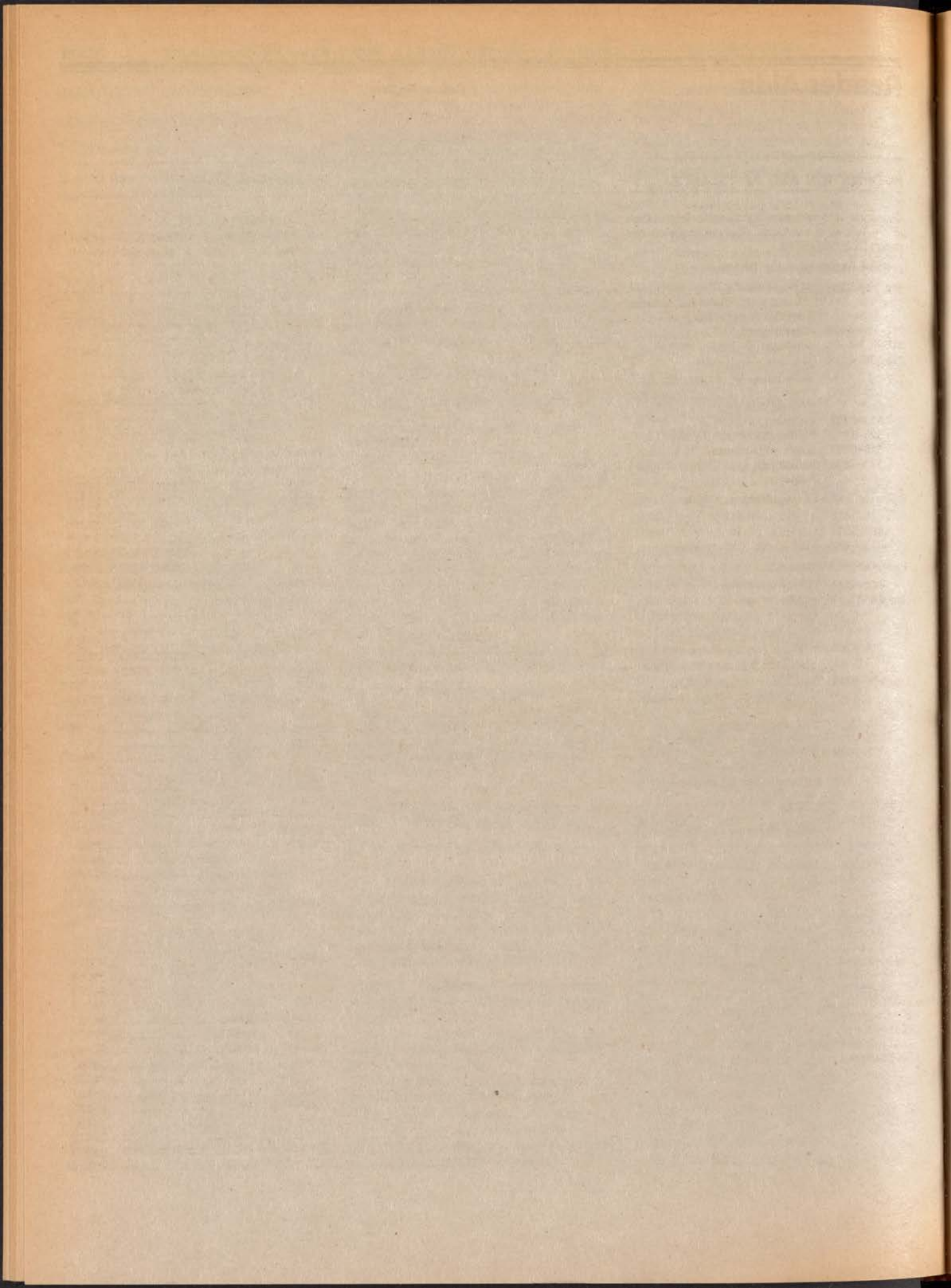
Dated: April 17, 1980.

Stanley L. Sommerfield,
Director.

Approved:
Richard J. Davis,
Assistant Secretary.

[FR Doc. 80-12364 Filed 4-18-80; 10:18 am]

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday).

This is a voluntary program. (See OFR NOTICE FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/SECRETARY	USDA/ASCS		DOT/SECRETARY	USDA/ASCS
DOT/COAST GUARD	USDA/APHIS		DOT/COAST GUARD	USDA/APHIS
DOT/FAA	USDA/FNS		DOT/FAA	USDA/FNS
DOT/FHWA	USDA/FSQS		DOT/FHWA	USDA/FSQS
DOT/FRA	USDA/REA		DOT/FRA	USDA/REA
DOT/NHTSA	MSPB/OPM		DOT/NHTSA	MSPB/OPM
DOT/RSPA	LABOR		DOT/RSPA	LABOR
DOT/SLSDC	HEW/FDA		DOT/SLSDC	HEW/FDA
DOT/UMTA			DOT/UMTA	
CSA			CSA	

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of

the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408

REMINDERS

The "reminders" below identify documents that appeared in issues of the **Federal Register** 15 days or more ago. Inclusion or exclusion from this list has no legal significance.

Rules Going Into Effect Today

ENVIRONMENTAL PROTECTION AGENCY

- 18374 3-21-80 / Toxic substances control; inventory reporting requirements

FEDERAL COMMUNICATIONS COMMISSION

- 17014 3-17-80 / FM broadcast channel assigned to Manhattan, Kans.

- 17582 3-19-80 / Procedural requirements for the Domestic Public Radio Service

INTERSTATE COMMERCE COMMISSION

- 18006 3-20-80 / Procedures for the handling of related rail abandonment applications

JUSTICE DEPARTMENT

Drug Enforcement Administration—

- 11125 2-20-80 / Exempt chemical preparations

LABOR DEPARTMENT

Occupational Safety and Health Administration—

- 5002 1-22-80 / Identification, classification and regulation of potential occupational carcinogens

NUCLEAR REGULATORY COMMISSION

- 18370 3-21-80 / Simplification of licensing requirements for export of certain quantities and types of nuclear material

PERSONNEL MANAGEMENT OFFICE

- 18365 3-21-80 / Examining system; training provisions

TREASURY DEPARTMENT

Customs Service—

- 17976 3-20-80 / Foreign-trade zones; change in method of determining dutiable value

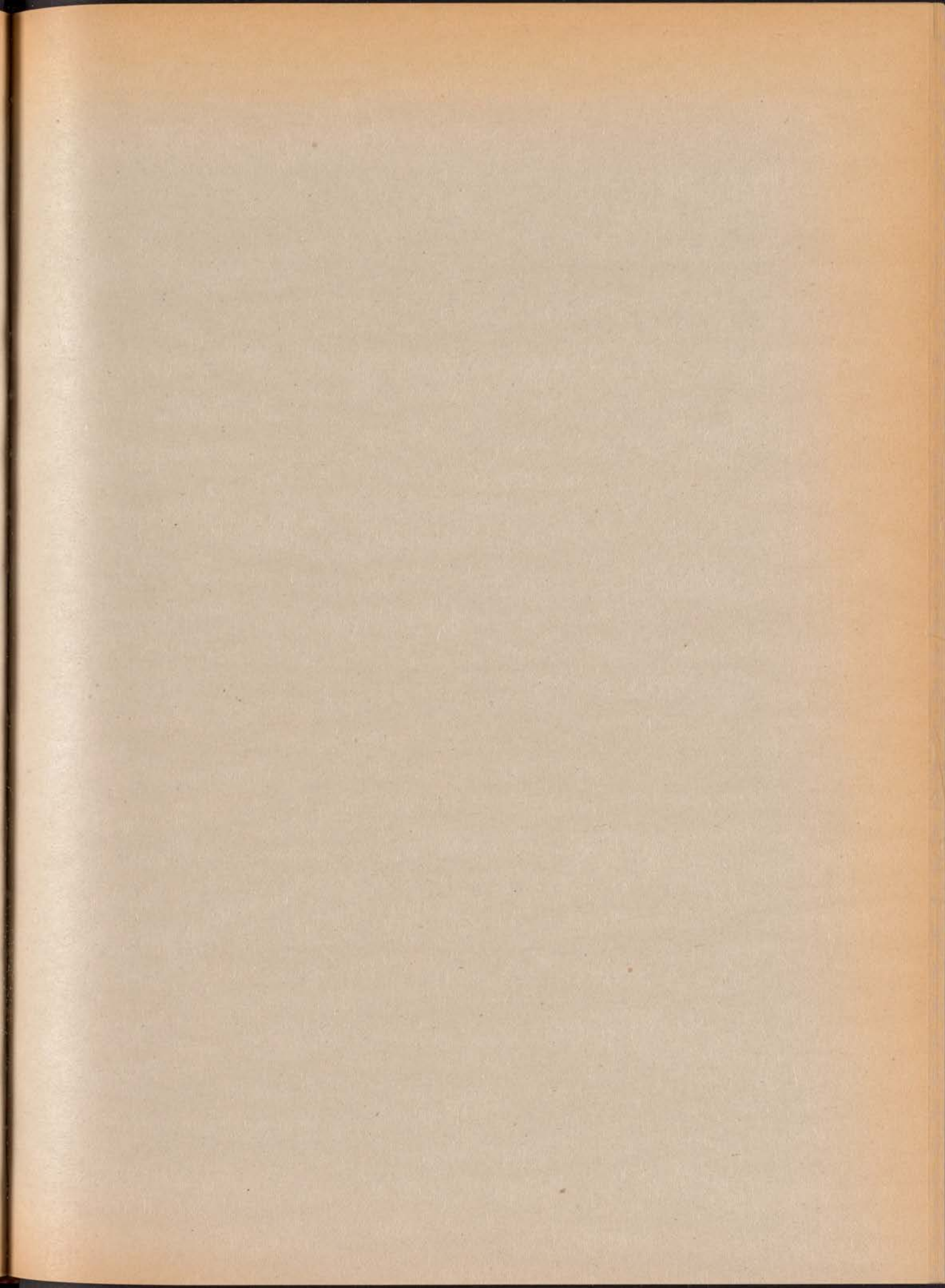
WAGE AND PRICE STABILITY COUNCIL

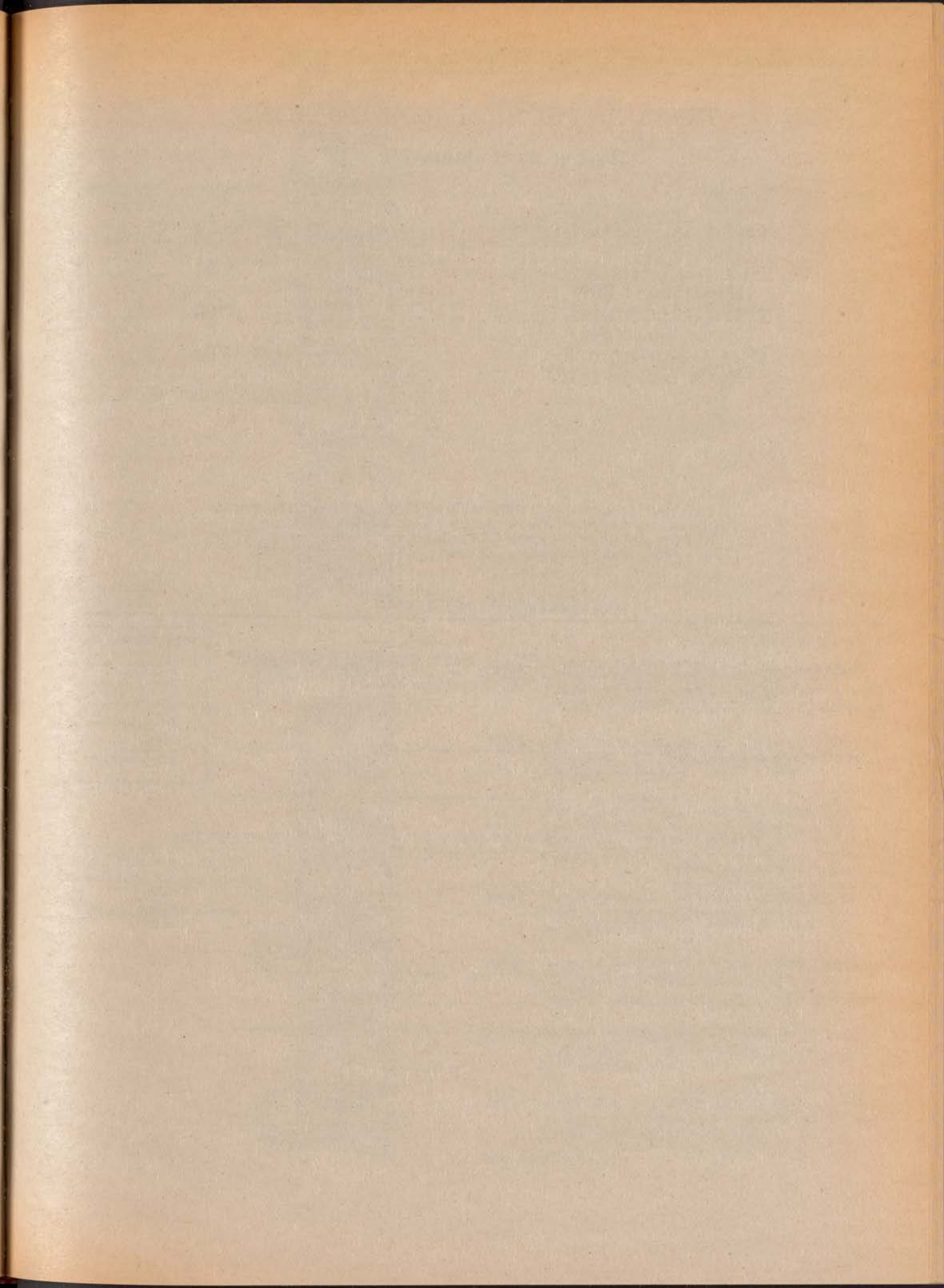
- 18365 3-21-80 / Procedural amendments

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws**.

Last Listing April 16, 1980





Advance Orders are now Being Accepted for Delivery in About 6 Weeks

CODE OF FEDERAL REGULATIONS

(Revised as of January 1, 1980)

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[A Cumulative checklist of CFR issuances for 1979 appears in the back of the first issue of the Federal Register each month in the Reader Aids section. In addition, a checklist of current CFR volumes, comprising a complete CFR set, appears each month in the LSA (List of CFR Sections Affected).]

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